

Sturtevant, of Middleton, all in the State of Rhode Island, favoring woman suffrage; to the Committee on the Judiciary.

By Mr. LEVY: Resolution of the Cattle Raisers' Association of Texas, favoring appropriation of ample funds to guarantee the protection of the live-stock industry of the country against the present outbreak and any future outbreak of the foot-and-mouth disease; to the Committee on Appropriations.

Also, petition of Richard M. Hurd, of New York City, in favor of bill to regulate interstate commerce between States in prison-made goods; to the Committee on Interstate and Foreign Commerce.

By Mr. LIEB: Petition of M. D. Helfrich, of Evansville, Ind., in favor of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. MAHAN: Resolutions of Norwich (Conn.) Camp, No. 75, Sons of Zion, against the passage of the so-called Smith bill (S. 2543), restricting immigration; to the Committee on Immigration.

By Mr. MORIN (by request): Petition of Flood Commission of Pittsburgh, Pa., and of citizens of Pittsburgh, Pa., in favor of Newlands river bill; to the Committee on Rivers and Harbors.

Also (by request), petition of Chamber of Commerce of Pittsburgh, Pa., in favor of river improvements and flood prevention; to the Committee on Rivers and Harbors.

Also (by request), petition of citizens of Beaver County, Pa., opposed to legislation to restrict exports to European countries at war; to the Committee on Foreign Affairs.

By Mr. O'LEARY: Petitions of sundry citizens of New York City, in favor of S. 6688; to the Committee on Foreign Affairs.

Also, petition of Springfield (N. Y.) Lodge, No. 302, International Order of Good Templars, in favor of national prohibition; to the Committee on Rules.

Also, petition of the Holy Name Society of New York City, for suppression of defamatory publications; to the Committee on the Post Office and Post Roads.

By Mr. O'SHAUNESSY: Petition of S. M. Power, of Providence, R. I., favoring passage of S. 6688; to the Committee on Foreign Affairs.

By Mr. RAKER: Petitions of the Nord Oestliche Saengerbund of America and T. L. Gilmore, president of the National Model License League, of Louisville, Ky., against national prohibition; to the Committee on Rules.

Also, resolution of the executive committee of the Cattle Raisers' Association of Texas, urging upon Congress the appropriation of ample funds to guarantee the protection of the live-stock industry of the country against the present outbreak and any future outbreaks of the foot-and-mouth disease; to the Committee on Appropriations.

Also, petition of Mount Shasta Lodge, No. 312, Brotherhood of Locomotive Firemen and Engineers, of Dunsmuir, Cal., in favor of H. R. 17894; to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Knights and Ladies of Oakland Council, No. 733; of the Le Tres Joli Club; Live Oak Lodge, No. 17; of the Ancient Order of Hibernians, Division No. 2; of the Fruitvale Aerie, No. 1375, Fraternal Order of Eagles; of the Estrella da Massha Council, No. 84, I. D. E. S.; of the Jefferson School Mothers' Club; of the Oakland Lodge, No. 324, Loyal Order of Moose; and of the Argonaut Tent, No. 33, of the Maccabees, all of Oakland, Cal.; of the Chamber of Commerce of Quincy, Cal.; of the Chamber of Commerce of Truckee, Cal.; of the Grass Valley Chamber of Commerce; of the Honey Lake Development League, of Jamesville, Cal.; of the Wetonka Tribe, No. 208, Improved Order of Red Men, of Los Gatos, Cal.; of the San Jose Camp, No. 7777, Modern Woodmen of America; of the Fruitvale Lodge, No. 56, Knights of Pythias; of the Dirigo Lodge, No. 224, Knights of Pythias; and of the Ouray Tribe of Improved Order of Red Men, of San Jose, Cal., in favor of H. R. 5139; to the Committee on Reform in the Civil Service.

By Mr. STEPHENS of Texas: Petition of the Chamber of Commerce of Wichita Falls, Tex., protesting against making gas lines common carriers; to the Committee on Interstate and Foreign Commerce.

By Mr. VOLLMER: Petition of Rev. H. Reinemund and 19 others, supporting House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. WINSLOW: Petition of Kampen Lodge, No. 15, International Order of Good Templars, of Worcester, Mass., in favor of national prohibition; to the Committee on Rules.

By Mr. WOODRUFF: Petition of residents of Bay City, Mich., for suppression of defamatory publications; to the Committee on the Post Office and Post Roads.

Also, petition of William H. Ramalia and 18 others, in favor of farm finance; to the Committee on Banking and Currency.

SENATE.

WEDNESDAY, December 30, 1914.

(Legislative day of Tuesday, December 29, 1914.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

REGULATION OF IMMIGRATION.

The PRESIDING OFFICER (Mr. SWANSON in the chair). When the Senate took a recess it had under consideration House bill 6060, known as the immigration bill, and the Senate resumes its consideration.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and residence of aliens in the United States.

The PRESIDING OFFICER. The pending amendment is that offered by the Senator from Colorado [Mr. THOMAS]. The question is on agreeing to the amendment.

Mr. SMITH of South Carolina. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from South Carolina suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Norris	Smith, S. C.
Brady	Hardwick	Overman	Smoot
Brandege	Hitchcock	Page	Swanson
Bryan	Jones	Perkins	Thomas
Burton	Kern	Pomerene	Thornton
Chamberlain	La Follette	Ransdell	Townsend
Clapp	Lane	Reed	Vardaman
Culberson	Lodge	Robinson	White
Fletcher	McCumber	Sheppard	
Gallinger	Martine, N. J.	Simmons	
Goff	Nelson	Smith, Ga.	

Mr. THORNTON. I was requested to announce the necessary absence of the junior Senator from New York [Mr. O'GORMAN].

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY]. This announcement will stand for the day.

Mr. MARTINE of New Jersey. I was requested to announce the unavoidable absence of the Senator from West Virginia [Mr. CHILTON] and to state that he is paired with the Senator from New Mexico [Mr. FALL].

Mr. TOWNSEND. The senior Senator from Michigan [Mr. SMITH], who is absent, is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for all roll calls to-day.

Mr. LODGE. My colleague [Mr. WEEKS] is absent from the city. He has a general pair with the Senator from Kentucky [Mr. JAMES]. I will allow this announcement to stand for the day.

The PRESIDING OFFICER. Forty-one Senators have answered to their names. A quorum is not present. The Secretary will call the roll of absent Senators.

The Secretary called the names of absent Senators, and Mr. LEA of Tennessee and Mr. WALSH answered to their names when called.

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from Virginia [Mr. MARTIN], on account of illness in his family. This announcement may stand for the day.

Mr. REED. My colleague [Mr. STONE] is detained from the Senate and from the city on account of indisposition in his family. I make this announcement generally for the day and to cover the past day.

Mr. CLARK of Wyoming and Mr. SUTHERLAND entered the Chamber and answered to their names.

Mr. CLARK of Wyoming. I desire to announce the unavoidable absence of my colleague [Mr. WARREN] from the city. He is paired with the Senator from Florida [Mr. FLETCHER]. I wish this announcement to stand for the day.

Mr. GALLINGER. I have been requested to announce the unavoidable absence of the Senator from Illinois [Mr. SHERMAN], on account of illness in his family.

The PRESIDING OFFICER. Forty-five Senators have answered to their names. A quorum is not present.

Mr. KERN. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. HUGHES, Mr. PITTMAN, Mr. MYERS, and Mr. WORKS entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present. The Senator from Missouri [Mr. REED] is entitled to the floor.

[Mr. REED addressed the Senate. See Appendix.]

Mr. HARDWICK. Mr. President, since I favor this bill with the literacy test included, I find myself unable to support the amendment proposed by the Senator from Colorado [Mr. THOMAS]. The bill itself contains this language:

That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious persecution.

For that language the Senator from Colorado [Mr. THOMAS] proposes to substitute the following:

That the following classes of persons, when otherwise qualified for admission under the laws of the United States, shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid religious, political, or racial persecution, whether such persecution be evidenced by overt acts or by discriminatory laws or regulations.

It will be observed, Mr. President, that the amendment proposed by the Senator from Colorado not only broadens the classes by including two classes that are not at all included in the language of the bill as reported by the committee, but also weakens very much the provisions of the exemption suggested by the committee. The language proposed by the committee is in the case of religious persecution that this test shall not apply when these aliens can "prove to the satisfaction of the proper immigration officer or the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious persecution."

On the other hand, the language of the amendment of the Senator from Colorado is much weaker than that, and merely provides that the immigrants shall be exempted from this literacy test when they are seeking admission into the United States to avoid "religious, political, or racial persecution." Then the provision is still further weakened and the floodgates opened still wider by the concluding language of the Senator's amendment:

Whether such persecution be evidenced by overt acts or by discriminatory laws or regulations.

When this great war shall have been concluded and the nations of the earth readjust themselves again to the conditions that may then exist it will doubtless be possible for almost every immigrant who seeks admission to our shores to claim with some degree of plausibility that he is endeavoring to escape, in part at least, political or racial persecution. I think I voice the sentiment not only of the chairman of the committee, but all the other members of the committee, when I say it seems to us that to so broaden the exception would be virtually to emasculate and destroy the literacy test, and that if this test is to perform the great function we think it will perform and that it is designed to perform it must be left without this amendment, for with this amendment it would be virtually destroyed, and almost every immigrant could escape or evade its provisions.

Mr. President, we have listened to some very eloquent speeches on this subject based largely, if not entirely, on sentiment. Senators have approached this discussion with all the great eloquence of which they are capable, it seems to me, entirely from a sentimental standpoint and not from the standpoint that ought to be their first and foremost consideration, that ought to operate on each one of our minds and control the conduct and vote of each one of us on this question. It seems to me that the first and paramount duty of each Senator on this floor is to consider above all other questions our own country, our own people, and what the effect of this legislation will be upon their well-being and upon the prosperity and happiness and future welfare of our own country.

We are not running, Mr. President, an eleemosynary institution, taking in everybody that we might be sorry for, regardless of what the effect is upon our own body politic. We are obliged to consider as American citizens first and foremost of all the interests of our own people and the future well-being of our own country in making laws. It seems to me the subject ought to be approached from that standpoint and not from the standpoint of sentimentality, of some hardship that might be worked in an individual case or in a few individual cases or even in many individual cases. The general good of our own people ought to be the primary consideration that controls each vote on this floor when this great question shall come to the test of a vote.

There are certain propositions connected with this matter which, from that standpoint, even the most eloquent Senators who have opposed this literacy test and who have favored the amendment proposed by the Senator from Colorado can hardly deny. First and foremost of all, I contend that the immigrant who does not come to this country with the desire and intention of remaining here and becoming a part and parcel of this country is not a desirable immigrant. I do not believe that the Senator who last addressed the Senate, my friend the Senator from Missouri [Mr. REED], or the Senator from New York [Mr. O'GORMAN], who spoke here so eloquently yesterday on this question, would controvert that proposition, no matter how liberal their views are on the subject of admitting immigrants at our ports.

The men who come here with no desire of becoming American citizens, with no intention to do so, but simply with the desire and purpose of reaping whatever industrial reward they can from more favorable industrial conditions in this country and from better wages in this country over and above what they could get in their own countries, simply come and strip our country bare, as far as they can do it, and to carry back in triumph to some foreign shore the spoils of their temporary sojourn here. They do not raise the standards of American life or the standards of American politics, the standards of American living or the standards of American wages; they do not even maintain those standards in every case. The general rule is that they lower every one of those standards.

For one I am utterly opposed to any system of laws which will permit any general immigration into this country of men who do not come here with a desire and purpose of becoming a part of this country, of becoming American citizens, and of staying with us permanently; and there are none of the arguments which have been presented by the Senator from New York [Mr. O'GORMAN] or by the Senator from Missouri [Mr. REED] which could be or would be employed by either one of those distinguished gentlemen in behalf of such immigrants. None of the eloquent illustrations of these Senators, none of the splendid individual cases to which they referred, were of men who came to this country but to exploit and then return to their own countries—

Mr. REED. Mr. President—

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Georgia yield to the Senator from Missouri?

Mr. HARDWICK. I do, with pleasure.

Mr. REED. I call the Senator's attention to the fact that I stated the same position which the Senator takes on that.

Mr. HARDWICK. I thought so.

Mr. REED. That such immigration was undesirable; but I also call his attention to the fact that this committee has not even tried to reach that in this bill.

Mr. HARDWICK. Mr. President, I shall endeavor in another part of this argument to answer that comment of the Senator. I am glad to know that he is in sympathy with my views on that branch of this question; in fact, I do not see how any Senator could possibly differ from me if he were a real American and had the real interests of the American people at heart, as I know every Senator has.

Mr. SMITH of South Carolina. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from South Carolina?

Mr. HARDWICK. I yield with pleasure.

Mr. SMITH of South Carolina. I wish in this connection, because those who are interested and would like to follow the debate in the RECORD will get the facts perhaps better to have them in juxtaposition, to make a suggestion. The Senator from Missouri [Mr. REED] says there has been no effort on the part of the committee to stop these birds of passage to whom the Senator from Georgia is alluding. From its first page to practically the last the bill is devoted to restrictions on steamship companies and restrictions which are thrown around the importation of contract labor, and numerous other restrictions that it is needless for me to mention, but which a casual reading of the bill will disclose.

Mr. REED. If the Senator from Georgia will pardon me, those are general restrictions applying to all immigration. There is not to be found in this bill any provision which undertakes to set up any test by which it can be determined that the man coming here intends to remain. It may be that that is impossible to do, but nevertheless it is true that it is not in the bill.

Mr. HARDWICK. Mr. President, with all deference to the Senator's view, I quite agree with my friend from South Carolina [Mr. SMITH]. It is in every line of this bill, in every provision of this bill, in every respect in which we strengthen the

immigration laws, in every respect in which we impose more rigid tests, in every respect in which we increase the head tax, in every respect in which we prohibit contract labor or the solicitation of labor abroad by contract-labor agencies—in all of these respects and in every respect this entire bill is designed to accomplish that primary purpose. There is necessity for it, too, Mr. President—real necessity.

The strike at Lawrence, Mass., has been several times adverted to during this discussion by Senators who have participated in this debate. It happened to be my fortune to conduct, in part at least, the investigation of that strike while in the other branch of Congress. I devoted a good deal of time to the examination of the witnesses. A most remarkable condition was disclosed in that investigation, which ought not to be lost sight of in this body nor by the American people. Those people at Lawrence, regardless of what Senators may think of the controversy between them and their employers, universally represented that they had been induced to come to this country—they swore it—by flaming posters, picturing the American laboring man clad in glad raiment, returning to his home at night from his day's work with a bag of gold on his shoulder, and that they came over here to get the princely wages that those advertisements represented they were to get. They stated frankly that but a very small percentage of them were naturalized at all, and that a very negligible per cent of them had even applied for naturalization papers. They frankly stated that their purpose was to come over here and get the rich rewards depicted on the flaming posters which had been displayed in the old countries, mostly in Italy, in Poland, and in similar countries, and to make a fortune in a few years, or what would be a fortune according to their Old World standards, and go back again. I say the Senator from Missouri and the Senator from New York are obliged to concede that we do not want that class of immigrants; we do not want people to come here, as the Senator expressed it, as mere birds of passage to rob this country, to compete unfairly with the American workingman, and to strike down American standards. I think we all can agree on that proposition.

Mr. LEWIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Illinois?

Mr. HARDWICK. With pleasure.

Mr. LEWIS. Mr. President, having heard the able junior Senator from Georgia revive our memories in this connection with this investigation at Lawrence, Mass., I should like to ask him if it be not true, and if he can not confirm the fact, that the men who really led the violations of law at Lawrence and who were really responsible, if responsibility can be attached to any individual, for the violation of the law, were not men who could both read and write and who were regarded as educated, and that one of them was at the time proposed as a candidate for office in Italy, whence he came?

Mr. HARDWICK. Does the Senator from Illinois refer to Giovannetti?

Mr. LEWIS. Yes; I think that was the name.

Mr. HARDWICK. The Senator from Illinois is probably right, that the leaders of that movement, as are the leaders of most movements, were educated; but their work found easy reception and fertile soil, because they had a lot of people who were ignorant, accustomed to accept any sort of leadership, and were used to being bossed, anyway; who knew nothing, and cared less, about American conditions, institutions, or laws. There is no doubt about that.

Mr. SMITH of Arizona. Mr. President, will the Senator from Georgia permit me to make a suggestion at that point?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Arizona?

Mr. HARDWICK. Yes.

Mr. SMITH of Arizona. Is it not a fact that these educated disturbers of the public peace would have a much less fertile field if they were addressing a people equally educated with themselves?

Mr. HARDWICK. That is exactly true.

Mr. SMITH of Arizona. And is it not a fact, and the great reason for this very provision of the bill, that its adoption would leave no such field to set on fire by the men so much better educated who would stir those people up to acts of illegality?

Mr. HARDWICK. I quite agree with the Senator's statement.

Mr. MARTINE of New Jersey. Mr. President, will the Senator from Georgia yield to me?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Jersey?

Mr. HARDWICK. I yield.

Mr. MARTINE of New Jersey. I was impressed with the statement which the Senator from Georgia made with reference to the flagrant posters that were distributed in many foreign countries.

Mr. HARDWICK. Flaming posters.

Mr. MARTINE of New Jersey. Well, flaming and flagrant as well, if the Senator please. They were displayed, the assumption is from the Senator's remarks, for an evil purpose. I coupled with that the statement made on yesterday by the Senator from Vermont [Mr. DILLINGHAM], that it was desirable to have a surplus of labor in order to supply the demands in manufacturing towns. I can recall very well at the time, and even before the time, of the Lawrence strike the fact came out that the steamship companies, as well as employers of labor, were eager to have these men come here, and that they resorted to methods that were misleading and unfair in order to induce them to do so. So, if those great bodies of men have come here, the same employers of labor and the great steamship lines have been the authors of this ungenerous and uncanny and unfair movement.

Mr. HARDWICK. The suspicion of the Senator from New Jersey, Mr. President, is not an unreasonable one.

Mr. MARTINE of New Jersey. It was verified by statements which I have never seen contradicted.

Mr. HARDWICK. The statement of the Senator is probably—I will go that far—quite true; and yet the evidence we took did not disclose whether or not it was true. Those men did not know who put up those posters. I can quite readily imagine—and I am quite willing to concede, so far as I have any right to concede anything about it—that probably some one put up those posters who had an interest in getting those men to come over here.

Mr. MARTINE of New Jersey. Unquestionably.

Mr. HARDWICK. They were the men who put up the money for putting up those posters, which so misrepresented conditions here; but whether the people who did this were the steamship companies, who were interested in making the passage money from these people, or whether they were the people who were interested in the labor market in the States to which these men were to be brought, and therefore interested in getting lower wages forced on working people here in America, it is impossible for me to say. The Senator from New Jersey can draw his own conclusion as well as I can draw mine.

Mr. REED. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Missouri?

Mr. HARDWICK. Certainly.

Mr. REED. I think it might be well, with the Senator's permission, in that connection to call attention to the statement that was made, I think, by the Senator from Vermont [Mr. DILLINGHAM] on yesterday, that these employees in the mills at Lawrence, Mass., had left their European homes and gone directly to those mills, a circumstance which would seem to indicate that somebody interested in the mills had something to do with putting up those posters and bringing those people here.

Mr. HARDWICK. I quite agree with the Senator.

Mr. MARTINE of New Jersey. That has never been contradicted, although it has been broadly asserted and printed in the public press.

Mr. HARDWICK. It is probably true. I quite agree with the Senator, although I have not the direct evidence to support it. From the circumstances it looks to be true, to a man up a tree, as my friend from Missouri suggests.

But another phenomenon, a natural one, however, Mr. President, in connection with that strike was this: When these people did get in trouble, when this great horde of foreigners who came to Lawrence under those conditions and the first effect of whose importation was to beat down American wages considerably and to drive out other people—American citizens—who had been engaged at a much higher wage in that very work, when they did get over there and found out that the wages they were to get and did get were not quite so high and that conditions were not quite so flattering as had been represented to them, they were bitterly disappointed. They had expected much and they got little, and they immediately began this strike, with some encouragement, as my friend from Illinois [Mr. LEWIS] suggests, from educated leaders. They inaugurated this strike, and when that strike culminated and when the greatest and gravest trouble connected with it was at its very climax, these people, instead of appealing to the American law officers, instead of appealing to this Government, either to the local authorities or to the State authorities or to the authorities of the United States, about the hardships and iniquities and wrongs they claimed were inflicted upon them, turned at once, according to the sworn testimony, to the diplo-

matic and consular representatives of 16 foreign powers to protect them against an oppression in this land of the free and home of the brave, which they said was worse than any they had ever received at the hands of the Cossacks in Russia.

Mr. REED. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Missouri?

Mr. HARDWICK. I do, with pleasure.

Mr. REED. I want to ask the Senator, since he took that evidence, if it was not shown substantially that in this land of the free the constabulary or the militia had gone to the depot, torn children from the arms of their mothers, and taken them away from them simply because those mothers were sending their children to other communities to be supported during the strike? Was not that shown by the evidence, or substantially that?

Mr. HARDWICK. I can not agree to the Senator's statement of it in those precise words; in fact, there is hardly a part of the evidence, if the Senator will permit me, that was not the subject matter of very sharp conflict and dispute.

Mr. REED. Well, was there not plenty of evidence to sustain substantially that contention?

Mr. HARDWICK. When some of those people undertook to send their children away to other parts of the country, the police undoubtedly at one time stopped them; there is no dispute about that. Of course the method they adopted is the subject matter of very sharp dispute.

Mr. REED. But in this land of the free and home of the brave, if things of that kind were done in violation of the Constitution of the United States, the constitution of Massachusetts, and the principles of the common law and the statute law, is it remarkable that these people lost some confidence in the protection they might get from our Government?

Mr. HARDWICK. If the Senator will permit me, I think he has read only a part of the evidence. If he had read it all, he would find out that these same people did not learn their distaste of the American Government or the restraints imposed by American law then. They had it before that time, and before then they had trampled upon and spit upon, according to the testimony of some, the flag of the Republic, to which the Senator has referred so often and so eloquently during his own address. They were utterly impatient, if the Senator will permit me to state my own impression of that evidence after studying both sides of it—these men were utterly impatient of restraints imposed by American law. They seem to have been taught or to have had it in their heads, somehow or other, that when they got here they would be entirely free to do exactly as they pleased; that they were going to reap a harvest; that they were going to get a bag of gold every day for the day's work; and that they could do exactly what they pleased, regardless of the restraints of law.

Mr. REED. Now may I ask a further question to elucidate this matter?

Mr. HARDWICK. Certainly.

Mr. REED. I do not want to interrupt the Senator if it disturbs him.

Mr. HARDWICK. It does not bother me at all; I am glad to yield to the Senator.

Mr. REED. The Senator has yielded very generously. The last statement of the Senator might lead to the impression that these people had been generally lawless after they came to Lawrence, Mass. Is it not true that this charge of lawlessness is confined practically to the time of the strike? Prior to that had they not obeyed the law as ordinary citizens do?

Mr. HARDWICK. I think that is true. Until the strike itself came there was little lawlessness; but after the strike began, if the Senator will permit me, they seemed to be utterly impatient of all restraint, of all order, and of any attempt to make them obey the statutes.

Mr. REED. Now, the Senator wants to be fair—

Mr. HARDWICK. Certainly I do.

Mr. REED. Is not that generally true in most strikes?

Mr. HARDWICK. If the Senator will permit me, I do not believe there have been many strikes in this country in which American workmen have participated where there has been anything like the degree of utter disregard of all law and the utter contempt of all authority such as was displayed during the Lawrence strike; and I think that if the Senator will read that evidence and compare it with anything he has ever heard, he will agree that that is probably the truth.

Mr. REED. Well, the conditions must have been pretty bad.

Mr. HARDWICK. They were pretty bad.

Mr. LANE. Mr. President, if the Senator will pardon me, I should like to ask him a question, or, rather, to make a deduction.

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Oregon?

Mr. HARDWICK. Certainly.

Mr. LANE. These people, as I understand, had been induced to come to this country by flaming posters, which pictured to them a condition of affairs under which they would make a bag of gold or a large amount of emolument. They had been induced to come to this country under intimations that they would be very prosperous; that it was a good place to come to; and that they would enjoy happiness, and make much money. And then, after they got here, they found themselves up against starvation wages and ill-ventilated shops in which to work, and found themselves charged for drinking water, as I understand happened in some of these places. Under such circumstances would not almost anyone become rather impatient with conditions?

Mr. HARDWICK. I think he would; I quite agree with the Senator as to that.

Mr. LANE. And would he not be likely to get a little bit restless and have rather a spirit of irreverence for the country?

Mr. HARDWICK. I expect that is true; there are two sides to it, of course. If the Senator will pardon me, these people were not altogether to blame. They had their wrongs; they were brought here by flagrant misrepresentation of conditions, and of course I do not blame them for being disappointed. The point is, they went a long way after they once got started to show their contempt of all authority and disobedience of all law, their utter irreverence for our institutions or for anything they had found after they got here. It is not strange that they did so, because they were badly disappointed at what they found after the representations made to them to which I have referred.

Mr. MARTINE of New Jersey. Mr. President, I should like to inquire whether the Senator made any effort to discover what percentage of these men could read and write? That is the question.

Mr. HARDWICK. I can not tell you the exact percentage; I am not positive as to that, but my recollection of the evidence, I will say to the Senator, is that most of these people were illiterate.

Mr. MARTINE of New Jersey. They could not read or write?

Mr. HARDWICK. That is the general impression left on my mind, although I can not point to the testimony just on this point.

Mr. MARTINE of New Jersey. I should like to ask the Senator, further, whether he believes that if these men could read and write the riot would immediately have been allayed?

Mr. HARDWICK. Let me answer the Senator that I think that if they had had sense enough to read and write they would not have been fools enough to be deceived by the posters to which I have referred.

Mr. MARTINE of New Jersey. They would not have come here at all?

Mr. HARDWICK. They would have remained away.

Now, Mr. President, I want to lay down another proposition, which is that the immigrant who is not of a type and character capable of assimilation into our body politic is an undesirable immigrant. Whatever the standard of living or the conditions of living in the country that he came from, that immigrant must be capable of lifting himself to our standard rather than attempting or helping to lower our standard to the same level as that to which he had been accustomed or he is still an undesirable immigrant. The immigrant must be capable of making a good citizen and a reasonably intelligent citizen or he is undesirable.

He is not, Mr. President, in my judgment, capable of making a desirable citizen unless he has in him the material from which a desirable voter can eventually be made. In this country, and in all other countries where popular rule is supreme and the individual voter is sovereign, it is all important, if this Government is to endure and if our institutions are to survive, that the individual voter be reasonably intelligent; otherwise he is incapable, however good his intentions may be, of making correct decisions on the mighty issues of government that must be and are submitted to him.

I do not understand the line of reasoning that would lead any Senator to believe that the standard imposed by the possession of a reasonable amount of education is not a good general rule for the ascertainment of intelligence. I quite admit, as Senators have eloquently argued and urged on this floor, that there are many exceptions to the rule. Like all other rules, it is proved by its exceptions. Sometimes you will find a most intelligent man who can neither read nor write and who has had no education whatever, while at other times you will find people who can read and write, those who can barely do so, or even those

who can do so with some fluency and readiness, who have no real intelligence. After all, in spite of the exceptions on the one side and the exceptions on the other side, the rule that you can discover and ascertain the existence of intelligence by an educational test is a sound one. It is so sound that many of the Commonwealths of this Republic have applied it in conferring or withholding the voting privilege.

The Senator from Missouri, almost at the end of his speech, said that there had been few of the American Commonwealths that had imposed standards based on intelligence, except the Southern States, where he claimed racial conditions were entirely responsible. In addition to the States of the South, I should like to call his attention to the election laws of the States of Maine, Connecticut, Massachusetts, Ohio, Oregon, California, Idaho, Wyoming, Nevada, and Vermont.

Mr. SMITH of Arizona. And Arizona.

Mr. HARDWICK. And Arizona, as the Senator from Arizona suggests.

Mr. GALLINGER. And the Senator can add New Hampshire to his list.

Mr. HARDWICK. And New Hampshire, as the Senator from New Hampshire suggests. Now, it will be seen that in many parts of this Republic the people realize that the sound rule by which to ascertain the possession of intelligence is the possession of a certain amount of education. Not only that, but, with one solitary exception, possibly two, I think every State in this great Republic requires in another way the possession of some intelligence on the part of its electorate by establishing and maintaining the Australian ballot system. The requirement imposed in this way is not quite so severe as some of the other tests imposed in some of the Commonwealths, but generally, especially in recent years, Mr. President, it has become the accepted policy throughout this Republic to limit the franchise to people who are reasonably intelligent and who can exercise it with a reasonable degree of safety to the great public interests that are involved.

Mr. THOMAS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Colorado?

Mr. HARDWICK. I do.

Mr. THOMAS. Mr. President, in connection with the statement just made by the Senator, I desire to remind him that the Legislature of the State of Colorado at its last session adopted what is called the "headless ballot," which is the pure Australian ballot and which requires, of course, an educational qualification if it is properly exercised. In order to enforce the growth of that qualification all assistance to the voter there is now prohibited, except in cases where he is physically unable to act.

Mr. HARDWICK. I thank the Senator from Colorado for the suggestion, and I thank the Senator from New Hampshire and all the other Senators who have strengthened and supplemented the statement that I have made on that question.

Now, Mr. President, reverting to the argument from the standpoint of the public interest, from the standpoint of the general good of this Republic, I do not wish to admit to our shores immigrants who do not make good citizens and who will not eventually make good voters. In this age of intelligence, of free schools everywhere, of compulsory education in many of the Commonwealths, as pointed out by Senators on this floor, at this period when we are spending in this Republic \$700,000,000 a year on the common schools alone, to say nothing of the other institutions of learning, it seems to me that it is not an unreasonable requirement, in the interest of the public good, to say to the immigrant who seeks admission to our country and who comes to our shores, "If you want to become an American citizen—and we do not want you unless you do wish it—eventually you should become an American voter; we do not wish to add to whatever ignorance we may deplorably have in this country already by admitting you if you do not come up to a reasonable standard of intelligence. It is necessary that you should have a reasonable amount of intelligence if you are to make an acceptable and desirable citizen of this great Republic."

From the standpoint of the public interest, Mr. President and Senators, it seems to me that the argument is unanswerable. I am too anxious to see this bill pass, too anxious to see it come to a speedy vote, to delay the Senate very long by an extended and elaborate argument on this branch of the question, and I have some other ground I desire to cover, so I will pass on from this point.

Now, the literacy test provided in this bill is very reasonable. It provides for bare ability to read, after the age of 16, not English, not the language they must speak here if they are really to become a part and parcel of this country, but their own language, any language, including Hebrew or Yiddish.

This test not only provides a reasonable general standard, but, as pointed out by the Senator from Vermont [Mr. DILLINGHAM], this test, as shown by the report of the able commission of Congress that thoroughly investigated this question through long months and years, will at once greatly check the most undesirable streams of immigration that are now pouring into this country.

The Senator from Missouri [Mr. REED] wanted to know what those undesirable streams of immigrants were. The Senator from Vermont, I think, hesitated to specify. No such considerations shall move me. I do not hesitate to specify them. In my judgment it is the people from the southern parts of Europe, the most illiterate, who come here with the intention, in many cases, of remaining with us for a brief sojourn and of then returning to their own countries, that we must stop; and according to the report of this commission, which I have studied, those are the streams of immigration that will be most certainly and most effectually checked by this test, if it should be applied.

Mr. President and Senators, one of the distinguished Senators who spoke against the literacy test and in favor of the amendment to it proposed by the Senator from Colorado appealed to the South particularly on this question. The distinguished Senator from New York [Mr. O'GORMAN] said that as long as the South had a very small percentage of these people of foreign birth she was not, therefore, intimately and directly concerned with the solution of this great question, and ought to hearken to the political necessities of her northern brethren.

In all kindness to the Senator from New York and to all others who entertain that view, I wish to enter my emphatic protest, my utter dissent from it. Are we to be forever appealed to on the ground that the South will take a narrow and provincial view of any great question that may come before this body or before the American people? Are we not at last, in truth and in fact, Americans as well as the balance of you? If so, let us hear no more appeals to the South to do something for local reasons or because of no direct or local concern.

Why, the Senator from New York suggested that this question stood somewhat on all fours with certain other questions—local, I think, and the Senator thought so, too; of a local nature—like prohibition, like woman suffrage; questions that each Commonwealth, according to my judgment, ought to dispose of for itself under our dual system of government. But it seems to me that the question at issue here in this bill is not comparable to those questions, and does not belong to the same class at all. If there ever was a purely national question, an entirely and essentially nation-wide question, for the consideration of the American people and the American Congress, it is the question as to what immigrants we shall admit at our ports and to our shores, because when once these immigrants come here they can go to every State in the Republic. They have certain rights that are guaranteed to them by the Constitution of the United States and by our treaties with foreign powers, rights that no State can deny or withhold.

Tell me that Georgia ought not to vote and voice its convictions on this floor because of the political necessities of New York, Missouri, or somewhere else, because we have not many of these people now? Ah, gentlemen, that sort of an argument does not appeal to me. It seems to me that the State of Georgia has just as much right and just as much duty to voice its Americanism on this question as New York or Missouri, Illinois or New Hampshire, or any other part of this Republic. It is a great national question. There is no local issue in it; and I am bound, as a Senator from Georgia, as I see my duty, to vote for the best interests of the American people as a whole, as I can best see and understand those interests.

I want to say another thing. The appeal was made that we should reject the literacy test for party reasons, for partisan reasons, to aid the Democratic Party in certain States and certain sections of this country. Mr. President, I doubt if there is on this floor, on either side of this Chamber, a more thorough partisan than I believe I am, and yet it does seem to me that there are some questions that ought not to be partisan. It does seem to me that there are some times and some occasions when a man ought to put his idea of the country's good above the party's good, even if it be conceded that the party's good is at stake in this sort of a measure. If I believe that a measure of this kind, or of any other kind for that matter, is all-important for the interests of my country, I can not be appealed to successfully to sacrifice my views or yield my vote because of the interests, alleged or fancied, of the Democratic Party in some other section of this Republic.

I can not agree to the soundness of the proposition, and I can not act in accordance with any such appeal. So far as that is concerned, I believe that the Senators who speak so elo-

quently on this question are wrong on the proposition of party expediency. Although I do not live in the sections of the Republic where they have their great political battles, I am not an entire stranger to conditions there, and I believe, so far as political strength is concerned, they would make more headway by standing with us for what we believe is the correct policy, in keeping out undesirable immigration into this country, than they will by standing for a lot of sentimentality that is not based on reason and that is principally good for speech making.

The question is not a new one. Since my public service in this Congress it has been thrashed out many times. We are not jumping in the dark, as my friend the Senator from Missouri suggested, on any of these things. There is no one question that has been so thoroughly thrashed out, that has been so closely studied by able and competent commissions, and on which we have such a great volume of accurate and reliable testimony as this one, in my judgment.

I want to call the attention of the Senate briefly to a short abstract I prepared some years ago on the progress of legislation on this subject.

Outside of the Chinese-exclusion act of 1888 and the various acts amendatory thereof and providing means for its enforcement the following is a brief summary of our progress in restrictive legislation on the subject of immigration:

The first restrictive law was that of March 5, 1875. It provided that persons convicted of felony, other than strictly political offenses, should not be allowed to immigrate to this country, and by the act of August 3, 1882, provision was made for the deportation of such convicts.

By the act of February 26, 1885, it was made unlawful for any person, firm, or corporation to prepay the fare to this country of any laborer who was under contract to work out such passage money. This was the first of our laws against the importation of contract labor. The methods and means of enforcing this law were the subject matter of the acts of February 23, 1887, and October 19, 1888.

On March 3, 1881, was approved the first attempt to enact a general and comprehensive restrictive immigration law. For that reason it is both interesting and important to observe its provisions.

In that law the following seven classes of immigrants were excluded from our shores:

- (1) Idiots and insane persons.
- (2) Paupers and persons liable to become public charges.
- (3) Persons affected with loathsome or dangerous or contagious diseases.
- (4) Women imported for immoral purposes.
- (5) Persons convicted of a felony other than political felonies.
- (6) Polygamists.
- (7) Contract laborers.

It will be observed that only five of these classes were new, felons having been excluded by the act of 1875 and contract laborers by the act of 1885.

On March 3, 1893, Congress passed another act to provide for the further and more complete enforcement of the act of 1891; but the continual increase of immigration, from about 560,000 in 1891 to 857,000 in 1903, led to the first of our really great and comprehensive immigration laws—the act of March 3, 1903. In that act the seven classes already excluded by the act of 1891 were again excluded, the definitions of each class being more clearly stated and strengthened, and new and important classes were added, such as anarchists, the opponents of all organized government, and those who advocated the assassination of public officers. Transportation companies were forbidden to solicit emigration, and a head tax of \$2 for each immigrant was enacted. It is also provided in this act that persons who had immigrated into this country in violation of any of the provisions of law could be deported at any time within two years thereafter. Ample machinery was provided for its enforcement, and the act was passed with the belief that it would cut down immigration and would certainly improve its character. It did not come up to the expectations of its friends, however, because in 1907, 1,285,000 immigrants were pouring into this country and came in that year.

On the subject of our immigrants and their illiteracy there are certain figures here that I should like to call to the attention of the Senate.

In 1902 we had 857,000 immigrants into this country, 21 per cent of whom were illiterate.

In 1904 we had 812,000 immigrants into this country, 21 per cent of whom, in round numbers, were illiterate.

In 1905 we had 1,026,000 immigrants into this country, 22 per cent of whom were illiterate.

In 1906 we had 1,100,000 immigrants into this country, 24 per cent of whom were illiterate.

In 1907 we had 1,285,000 immigrants into this country, 26 per cent of whom were illiterate.

Early in 1906 the Senate Committee on Immigration and Naturalization reported, through Senator DILLINGHAM, a bill providing more drastic and comprehensive restrictions on immigration.

When that bill finally passed the Senate on May 23, 1906, an amendment, first proposed by Senator SIMMONS, of North Carolina, and afterwards modified and improved by Senator LODGE, of Massachusetts, was adopted providing a simple literacy test for immigrants; the requirement being that all immigrants into this country above 16 years old, and not physically incapacitated, must be able to read the English language or some other language. When the House committee reported the bill it still retained the literacy test, but on June 25, 1907, when the House voted on the bill, the literacy test was stricken from it by a very close vote (128 to 116) upon motion of Mr. Grosvenor (Republican), of Ohio.

The literacy test being stricken out by the House and the Senate firmly standing by it, it seemed that the conferees would never be able to agree and consequently that the bill would never pass. It probably would never have done so but for the trouble with Japan, growing out of labor conditions and school troubles in California and all along the Pacific slope. When those troubles came on in the latter part of 1906 and early in 1907 this bill was revitalized and under party whip and spur passed, by compromise, the literacy test being left out of the bill, and provision being made that the President of the United States should be given the discretion not to permit Japanese (or other foreign) immigration under passports issued by any foreign Government to other countries or to any insular possession of the United States or to the Canal Zone, "whenever he was of the opinion" that to admit the holders of such passports to continental United States was to the "detriment of labor conditions here."

In the last session of the Sixty-second Congress, in the closing days of the Taft administration, a bill that was in substance the same as the pending bill and had the same literacy test, passed both Houses of Congress, but was vetoed by President Taft. It was then passed by this body by a two-thirds vote over the veto, and failed by a few votes to get the necessary two-thirds in the House of Representatives.

During all these years illiteracy among the immigrants that come to us is constantly increasing. Furthermore, explaining to the Senator from Missouri and to other Senators who may be interested why I did not hesitate to specify the peoples from the south of Europe as undesirable sources of immigration, I wish to say the reports of the Commissioner General of Immigration show that in the years 1905, 1906, and 1907 of the immigrants that came to us from northern and western Europe but 3.7 per cent are illiterate, while of the immigrants who came from southern Europe nearly 50 per cent, or 42.2 per cent, are illiterate.

Therefore I say those are the streams that we ought to check; and I think the other reason that I gave is also applicable, because those are the people who come here for temporary sojourn more than all others.

Mr. President, I want to state to the Senate in just a few words a summary of the reasons why I favor this bill, which not only increases the restrictive provisions generally against this immigration, but also carries in its provisions the literacy test.

First, I favor it to protect American labor from unfair competition—competition that strips the country bare to enrich other lands, as well as capitalists in our own, and that tends to lower every American standard.

Second, to aid in securing—that is, the literacy test, particularly—a reasonably intelligent electorate for this Republic.

Third, to preserve the American system of government, with all of its standards and ideals, handed down to us by our fathers.

Some particular comment has been made throughout this debate on the little interest that the South ought to have in this question, because she has such a small percentage of foreign-born population within her borders. Let us look at the figures for a minute and see if we can not get something from them.

If we start on the banks of the Potomac and go straight through the very heart of the South to the Rio Grande, we find that in Virginia only nine-tenths of 1 per cent of the entire population is foreign born; in North Carolina only three-tenths of 1 per cent; in South Carolina, four-tenths of 1 per cent; in Georgia, six-tenths of 1 per cent; in Alabama, nine-tenths of 1 per cent; in Mississippi, five-tenths of 1 per cent; in Louisiana,

3.2 per cent; in Texas, 6.2 per cent; an average of 1.6 per cent for the Southern States that I have named. If we take the eleven States that formed the Southern Confederacy, we find that the average percentage of foreign-born population in them is only 1.8 per cent.

Turn for a moment to the other sections of this country, and what do we find? We find 11 great States—3 in New England, 2 in the Middle Atlantic group, and 6 in the Northwest and in the far West—where the percentage of foreign-born population is so large as to be appalling. Let me give you the list of these States, with their percentages:

Rhode Island, 32 per cent; Massachusetts, 31.5 per cent; New York, 30.2 per cent; Connecticut, 29.6 per cent; North Dakota, 27.1 per cent; Minnesota, 26.2 per cent; New Jersey, 26 per cent; Montana, 25.2 per cent; California, 24.7 per cent; Arizona, 23.9 per cent; or an average of 27.4 per cent in the States I have named.

Mr. REED. Foreign born?

Mr. HARDWICK. Yes, sir—not of foreign parentage.

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

Mr. HARDWICK. Certainly.

Mr. ROBINSON. Will the Senator state when those figures were prepared, and for what period?

Mr. HARDWICK. They were prepared from the very best available statistics, and they were prepared less than six months ago from the latest census reports—those of 1910.

The average for these States, as I have stated, is 27.4. According to the same authority—that is, the census of 1910—the average percentage of the foreign-born population of the New England States is 27.9 per cent; that of the Middle Atlantic States is 25.1; and that of the Pacific States is 22.8.

It must be remembered also that these figures do not include citizens born on this soil of foreign parentage. I have not been able to find the official figures on the question of persons of foreign parentage reduced to the percentage basis; but in addition to the population in this country that is of foreign birth the census reports of 1910 show that 18,897,837 were born of foreign parentage, besides 13,343,583 that are of foreign birth. There are over 31,000,000 in the two classes, you see. In the State of Georgia, however, we have only 25,672 persons of foreign parentage, as against 1,395,058 born of native white parents; and the other Southern States maintain almost as good an average on this question as does the State of Georgia.

Such is the situation. These are the conditions that confront us, as disclosed by the official reports of this Government. I do not advert to it in either alarming style or sensational fashion. Nothing is further from my purpose. I have full, yea overwhelming, sympathy with the noble idea that this great country of ours should afford to the oppressed and to the virtuous of every land an asylum of refuge from persecution and injustice, but first of all I would care for our own. I acknowledge in ungrudging measure the great debt of gratitude that we owe to those people of other and less fortunate lands who have sought and found a happier home in our own, giving generously of their brain and brawn to the progress and the prosperity of the Republic, renouncing all conflicting allegiances to become true and loyal American citizens. To such men—and I thank God the vast majority of our southern citizens of foreign birth or lineage can be so classified—no man can extend a heartier welcome than I; but I can not be insensible, nor can you, Senators, to the great dangers that are involved in this situation.

Because we welcome the worthy and the virtuous from every land where they are capable of assimilation with our own people, I do not believe we can afford to welcome here the scum of the earth from every land, who come to this land not to become a part of it but to strip it bare, to take the bread of labor from American mouths, and to carry it back in triumph to some foreign shore.

Nor can I be insensible to the great danger to our American system of government that is involved in the continued and increasing influx of some classes of these foreigners. They know nothing of American history, and care less. They know nothing of American traditions and institutions, and care less. In large part they do not speak and can not or will not learn our language. They come here filled with all sorts of socialistic, anarchistic, and nihilistic ideas, a fact which can not always be proved at the immigration station, impatient of all restraints imposed by law, and utterly and supremely indifferent to the welfare of that country in which they propose to linger only long enough to make enough money to support them in comfort elsewhere.

Mr. President, I can not help but feel, I can not help but believe, and I believe it profoundly, that the gravest danger this country and this system of government can ever be sub-

jected to is liable to come from these people who come over here not as the people to whom my friend, the Senator from Missouri, referred so eloquently to-day and yesterday, to become a part and parcel of this country, who are capable of assimilation into our body politic, and whose sons and daughters are fit to intermarry with our sons and daughters, but who come here for the purposes of industrial exploitation, utterly ignorant of the history, the traditions, the sentiments, and the institutions of this country, and utterly indifferent to them.

It seems to me that the pending bill, particularly through the literacy test, is calculated to stop the most vicious, the most dangerous, of these elements. I have supported it for years in another branch of Congress. I had the privilege of reporting from the Committee on Rules, under a special rule, the very bill that we are now considering, when it was reported to the other House of Congress. For years I have stood for it. I have voted to pass it more than once, and once over the veto of a President of the United States. I believe in the literacy test with all my heart and soul; and I know that when I give my vote and voice for this measure I voice the will, the sentiment, and the belief of the great Commonwealth of Georgia.

Mr. LEWIS. Does the Senator from Louisiana desire to occupy the floor?

Mr. THORNTON. Mr. President, I may speak for about one minute on the amendment only.

Mr. LEWIS. I should prefer to yield.

Mr. THORNTON. I have no desire to speak now. I understand the Senator is prepared with a set speech.

Mr. LEWIS. No; I have no set speech.

Mr. THORNTON. I have no desire to speak now.

Mr. LEWIS. I only wanted to yield to the Senator if he desired to take the floor.

Mr. GALLINGER. Will the Senator yield to me for just one moment?

Mr. LEWIS. I yield completely, if the Senator desires.

Mr. GALLINGER. I ask permission to have placed in the Record a clipping from the Washington Star of last evening, showing that the immigration of the last fiscal year reached a total of 1,485,957. This newspaper article also deals with the difficulty of medical officers making proper inspection of the tremendous number of immigrants that are pouring into the ports of the United States. I ask consent that it be placed in the Record without reading.

The PRESIDING OFFICER (Mr. POMERENE in the chair). Without objection, it is so ordered.

Mr. GALLINGER. I thank the Senator.

The matter referred to is as follows:

IMMIGRANTS REACHING UNITED STATES TOTAL 1,485,957 IN YEAR—PUBLIC HEALTH SERVICE SHOWS GREAT DIFFICULTY IN MEDICALLY INSPECTING ALL.

Railways and steamship lines brought into the United States in the last fiscal year a total of 1,485,957 immigrants, according to a statement of the Public Health Service, just issued. These immigrants entered this country at 80 points of entry, including 25 seaports, and they came to the land of the free from 25 different foreign ports.

These figures are given in the Public Health Service's statement to show the magnitude of the task of medically inspecting the vast horde of aliens that enter the United States each year. More than 100 steamship lines bring immigrants to this country, and by reason of the fact that some of the ocean lines have vessels arriving at from two to five American ports, it has been found that there are 173 lines of immigrant travel from foreign countries to the shores of Uncle Sam's domain.

The number of immigrants examined at the different ports and places varied; for instance, from 1 examined at Wilmington, N. C., to 1,009,854 at the port of New York during the last fiscal year. In addition to this, 80,322 immigrants arrived at Boston, 40,248 at Baltimore, and 60,483 at Philadelphia during the last fiscal year, the total being as stated above.

As a result of the examination of the above-mentioned 1,485,957 immigrants 41,236 were certified as having diseases either deportable or reportable under the immigration laws. In order to give the medical examination to such a large number of immigrants it is necessary that the officers of the Public Health Service detailed for this duty be specialists in the various lines of diseases.

These officers, when they examine large numbers of immigrants, at once seek first to eliminate the perfectly sound persons, which they are able to do with remarkable accuracy on account of their long practice. The remaining immigrants are then disposed of in the order of the importance of their diseases. For example, if an immigrant has a slight deformity which will not bar him from entering the country, he is detained only long enough for a record to be made of this deformity. This soon leaves only those immigrants who are to be subjected to a careful examination to determine whether they are likely to become public charges if admitted to the country.

Mr. SMITH of South Carolina. Will the Senator from Illinois pardon me for a minute?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from South Carolina?

Mr. LEWIS. Oh, gladly, Mr. President—gladly.

Mr. SMITH of South Carolina. Mr. President, I think we are now drawing to a point where every effort should be made to have a vote on this bill. I said in the beginning that I was not going to attempt to shut off any debate nor seek to prevent

those who disagree with the committee from expressing themselves fully. Those who are in favor of the bill have refrained from any very lengthy discussion of it, believing that the country was pretty well satisfied and would stand with the Congress in reference to it.

I sincerely hope those who intend to address the Senate on this bill will be prepared, because, so far as the rules will allow me, I shall force a vote on the bill at the earliest possible moment when debate shall have been exhausted.

Mr. LEWIS. Mr. President, for myself I will yield to the chairman of the committee if he cares to present any views at this time. I will yield gladly, and when he has concluded, if there are some matters I care to offer, I will take the liberty of doing so in a very short period of time.

Mr. SMITH of South Carolina. I do not care to address the Senate at this time. There are some general facts in reference to certain statistics that have been given and points made that I, at the conclusion of the debate, may take the time of the Senate to refer to. Otherwise we will come to a vote.

Mr. LEWIS. Mr. President, if there is no one else who desires at this time to occupy the floor, there are a few views I should like to express; but I desire to yield to any other Senator who would care to occupy the floor at this time, whether he is for or against the measure.

As there seems to be none who desires at this time to be heard, I wish to put into the RECORD the dissent that I have from the feature of the bill and from the provision known as the literacy test.

I recognize that the support of this measure and its opposition is largely guided by the question of locality. I recognize very firmly that a man is impressed by the constituency he represents and that, however much he may desire to speak a general view applicable to his country at large, he is greatly influenced by the situation surrounding him at his home, and something of the political considerations of the constituency for which he speaks. For myself I confess, without reservation, that I am greatly concerned as to this limitation from two viewpoints:

One is that as an American, with my attitude addressed to that which I understand my country stands for, I can not give it my approval.

Second, the interest of the class of people who make up approximately one-half of the population of the great city in which I live and a very large percentage of the splendid State that I have the honor in part to represent admonishes me that I can not allow a provision to be introduced and passed as a law while I am their representative which they feel lays a bar sinister against those of their blood—their brothers and sisters, their fathers and mothers—and places a barrier of the future against any advance or opportunity to those now born or hereafter to be born whose only misfortune is that they live in a land where despotism exercises its powers upon them and opportunity of complete freedom has been denied them.

Mr. President, I take the liberty to accept the invitation of the honorable chairman of the committee to present such objections as I have. First, I have tendered a motion to strike out this section in so far as it contains a clause making the educational test or test of literacy a standard of admission into this country. I address myself at this time to the motion of my own and at the same time to the merits of this amendment.

The Senator from Colorado [Mr. THOMAS] evidently is not on the floor. There is a matter I should like to call to his attention that embarrasses me very much. To the Senator from Missouri, the distinguished gentleman who has lately regaled us with a most edifying exhibition of his learning upon this question generally and his wonderful industry, I should like also to confess that I am very much embarrassed with this amendment.

This amendment, as well as the provision in this bill, reads that no one shall be excluded who is fleeing from either religious or political persecution, also that anyone shall be admitted by the officers of our Government who may be adjudged as having fled from religious or political persecution. The fear I have lies in the complications to my Government which either the provision in the bill or the amendment will undoubtedly entail. The moment we establish it in the discretion of any administrative officers to render decisions that they admit A, B, or C upon the grounds that A, B, and C are then the victims of religious or political persecution from a certain named country we authorize our administrative officers to indict that country as being guilty of religious persecution or political persecution. We therefore give our approval to such administrative indictments by our Government, therefore holding them up before the world as having been convicted by America of having inflicted religious persecution upon A, or that we admit having found

judgment against that foreign country for the political persecution of B, and therefore admit him and thus impliedly likewise enter judgment of condemnation against that country.

Then we awaken, I fear, by those provisions a legitimate form of retaliation on the part of those countries by their administrative officers in the administration of some of their particular Provinces to pass upon the property rights of some of our citizens who may be living abroad, the right as to whether he is a real American or an affected one, whether he is really a foreigner notwithstanding he contends he is an American, and impress him into domestic military service on the theory that they have the right through their administrative officers to decide that he is a mere ruse, a mere pretense, a mere hypocrisy. If we vest in our administrative officers the right to pass a judgment of condemnation upon the foreign countries on the ground that they are persecuting for religious purposes a citizen, and we permit him to enter with that judgment against them, they have a grievance against us.

Mr. REED. Mr. President, will the Senator allow me?

Mr. LEWIS. Oh, yes; I prefer to be interrupted. I may be wrong, and I want the view of the Senator.

Mr. REED. I call the Senator's attention to the fact that the language he is now criticizing is the language of the bill, not of the amendment.

Mr. LEWIS. That is correct. I am now speaking of the bill—that feature of the bill and to the amendments of similar purport—which to my thinking offers such opportunity of so great offense to the foreign countries as to invite serious conflicts and entail upon us complications which may have a result very embarrassing and at this particular time particularly dangerous. I illustrate:

Suppose a Turk, a subject of the Ottoman Empire, who claims to be an Armenian, comes to the gates of Castle Garden and applies for admission. He can not read or write, and he is subject to the inhibition of the bill. But through an interpreter or a representative he shall have it manifested that he is fleeing; that from the fact of being a Christian the Turkish Government is charged by him with persecuting him. It shall be so manifested to those to whom we have committed this discretion, and the commissioners there and the commissioner here at Washington shall decide to uphold his statements, affirm his accusation, and give judgment in his favor. What will it be? It will be that Selim Ibrahim, or whatever may be the name of the kind, is admitted into the United States on the ground that he is an exile or refugee from religious persecution visited upon him by the Government of Turkey. So thus we have indicted Turkey and found her guilty by an administrative judgment of our own officers which we must give approval to by giving the man the right of entrance.

Second, a Jew from Russia comes to our gates. He can not read or write. Likewise he comes within the inhibition of the measure, but those interpreting for him say that he is fleeing from political persecution. They manifest it in such a way that those commissioners say, "We adopt it as true." They write a judgment that Joseph Abraham can not read or write, he is within the inhibition of the law, but nevertheless we find that he has been persecuted for political purposes by Russia, and because of this political persecution of Russia we admit him. Result: We indict Russia as being guilty of political persecution and by that indictment enter judgment against her.

I need hardly say to my esteemed colleague that by a multiplication of these instances we have an army of affronts against these different nations and give them an opportunity to retaliate against the property of our people wherever they may be located in foreign countries, or against our people wherever opportunity may arise of a nature so fraught with danger that one step further may bring resentment by it for wrong done in retaliation, and we will find ourselves in a very serious conflict.

I now refer to the personal feature. Expressing sympathy for the unfortunate condition of the Jew as depicted through all history in which he has suffered, recognizing the conditions to which all of us at any time address our sympathy, I fear that if my country shall inaugurate the precedent of finding a judgment at Castle Garden against Russia on the ground that she has been guilty of political persecution, we will awaken her treatment of retaliation against the Jew there to so cruel an extent that the hardships visited upon him will be multiplied in numbers there to such measure and more severe in character than otherwise would be visited upon him.

Therefore this provision in the bill at the outset I regard a dangerous one. I see it filled, measuring it as I must, with very serious consequences to my country. I see it also, as I view it, fraught with great danger and injury to those who are the subjects and objects of our solicitude and supposedly of our protection.

The amendment offered by the learned Senator from Colorado has a phrase in it that arrests my attention seriously. Knowing him to be a very eminent lawyer, having knowledge of his capacity long before I had the honor to join service with him in this body, I know he will agree with me that if we adopt in this body an amendment which authorizes the admission of persons into this country who it may be said had been the subjects of persecution for their religion or their politics, and we added to that "and this to be true, whether disclosed by overt acts or general conduct," we then call for those to render the judgment and to inscribe under that amendment the proof of the judgment.

The proof therefore would have to be some assertion on their part of an act that they said was an overt act on the part of that foreign Government or conduct which they would have to specifically define in some form or way. Therefore we make the issue specifically, and they have a right to be heard upon it. We can not render *ex parte* the judgment and find the facts without hearing the other side and then upon all render judgment. How would they have a right to be heard? Through their representatives or their ambassador or minister; and then we create a forum in our own country to retry a matter of fact, and we pass judgment whether that particular fact is overt as a fact sufficient upon which to enter judgment. When we differ then from the foreign country in their construction we again give particular offense. I fear that it must be too plain to the eyes of a thinking man for us to hope to avoid the complication.

Seeing, therefore, in the passage of the bill—likewise in the proposed amendment—expressions that I feel involve us in serious trouble and great danger, I prefer to avoid them both by striking out of the bill the particular provisions that have given rise and made necessary or seem to justify those particular resorts which either the framers of the bill had in their minds at one time or the distinguished Senator from Colorado, aided by the Senator from Missouri, have in their minds at this time.

Mr. President, I must concede that there will arise in this Government a time when indiscriminate immigration must be the subject of some form of qualification. I must concede that there must arise in my country an hour or a season when some form of defined qualification would be necessary and serviceable. I am not prepared to say it has now reached us. I find myself by every instinct within me inclined to the ideals which the fathers founded in this country of opening the gates of this Nation to those who are oppressed and seek an asylum of liberty and refuge of freedom. It is enough for me that I can view the broad waste of land expanding before the eyes, far out in the West, unoccupied, literally an empire that may today inhabit, care for, guard, and protect all the citizens of all Europe—with the single exception of Russia—without intrenching in the slightest degree upon the physical liberty of any existing American.

I do fear, Mr. President, the hour when my country shall begin to break down these ideals and shatter these foundations. My mind reverts to an interesting incident that possibly the able Senators about me recall as recorded in history. When Lowell was representing this country in England Guizot, the French historian, happening to be visiting London, it is reported that he addressed Mr. Lowell and said, "How long, Mr. Lowell, do you think your Republic will last as such?" To which Lowell is reported to have said, "Just so long, sire, as the sons shall be faithful to the ideals of the fathers." Having some regard, Mr. President, to this creed, I hesitate to adopt a policy that shall remove the sons from obedience to these ideals.

I recognize, Mr. President, that there may be questions that require some careful study and the application of some wisdom to a future condition that can arise and may apply to this country.

What, therefore, is the object of the bill? I gather that the object of the bill is to place some barrier on immigration. Why? Upon the ground, you say, that it invites ignorant and unlettered human beings into the Government. If that were the principal object, I am compelled to invite the attention of my colleagues to the fact that they gathered up millions of such in the Philippine Islands and placed them in the body of the Government by a mere act of conquest, and the reports demonstrate that more than 4,000,000 of those individuals have not the slightest conception of the matter of education or learning. So there can not be the same solicitude against some one entering into our Government who may be unlettered. It would seem rather late to consider that.

Shall it be my distinguished friends from the South, for whom I have great affection of course, from my birth and tender

associations, when we have in Porto Rico, with an illiteracy reported of 22 per cent, all put into the Government at the very door and gate of our Nation, all of whom, under our Constitution, have the right to come and go as they please in every State of our Union?

What was the solicitude of my distinguished friend from Vermont, the very able Senator, former chairman of this committee in the previous Senate, now the ranking minority member, against the coming in of those who were illiterate or lacking literacy when these particular measures I refer to were foisted upon the Nation?

I must therefore conclude that there is another purpose, not simply the object of avoiding those who may not read or write, and that purpose must be to prohibit or limit immigration. Mr. President, why? I assume that able Senators have not expressed their whole reason, and that in the mind of some of the Senators espousing this measure the conditions of war in Europe menace them or admonish them that when the war is concluded there will be thousands upon thousands attempting to find their refuge here in our country. I assume that there are Senators who feel that this is an approaching danger which should be avoided, and that to these able Senators there has been communicated from certain gentlemen who mean well and have an honest fear in behalf of labor that such might be the fate to be visited upon the toiler.

Mr. President, Patrick Henry is supposed to have uttered in the House of Burgesses an interesting bit of philosophy, though Aristotle seems to have expressed something of the same kind. From Henry we delight to quote that—

We can only judge the future by the past; I have no lamp to guide my feet but experience.

I call attention to the fact that immediately following the great wars of the world immigration has ceased; it has not been stimulated. I call attention to the history, familiar to my learned friends about me, that when France and Germany had their conflict and after Sedan, when one might have imagined that from France or Germany would have come teeming thousands of those who sought to rescue themselves from conditions unbearable, at least certainly not agreeable, when one might presume they might have emigrated, we discovered to the contrary; their fields were open; their children had to be maintained; their lands to be sustained; new opportunity to all survivors had arisen. France not only gathered itself together, but its people multiplied around its farms and habitations and grew into such affluence that it was able to pay the great indemnity levied by Germany, and in science and small arts became one of the superiors of the earth.

Germany, from a country that was a fifth-rate power, held her people close to her fireside, stimulated by patriotism, builded her farms, inspired their education, reanimated their hearts, filled their souls with desire for superiority among mankind, and, barring the instances of those who fled under the charge of some form of political offense, such as in 1848, there was, indeed, little immigration. It did not begin until 1885 from Germany, and then when peace had settled upon the community and arts of industry and science and the refinements of culture had possessed its country to the extent that the nation started upon the splendid course of eminence and glory, which all friends of Germany delight to certify to.

Shall I refer to my own land? Here sits around me the sons of the Confederate soldier and around me likewise those of the Federal. They have not much memory of it, possibly, but they have a memory of that which was related to them by their fathers. When the South and the North had that unfortunate conflict, when that cataclysm severed us apart and sent the two sons of one mother to die by the bayonet of the brother, and it was all ended, did our people in the South forsake their hearthstones, fly from their people and take refuge elsewhere? No; they returned from the battle field to the farm. They returned from a soldier's lot to a civilian's pride. They returned from the camp to the home and builded the South to a splendid degree of affluence and a glory of eminence in letters and statesmanship, which has been the pride of every American to allude to wherever the history of this country is recounted. Did our honorable opponents—speaking as a southerner—of the Federal Army, forsake the hills of Vermont or New Hampshire? Did they leave Ohio and the broad rivers of the West? Not at all. They builded New England anew. They started ablaze the manufacturing eminence and fortunes, set her glowing furnaces out on every rock-side, her little cities multiplied in number and manufacturing arts; and increased was the splendor of her people. Her literary masters and her colleges became the pride of New England, and her sons, moving into a second and third generation,

peopled the far West with intelligence and respectability to a degree that every State in the West rejoices to pay tribute to.

Did the men of the great Middle West, which had tendered so much in that splendid sacrifice, forsake their homes? Far from it. They likewise took new life, new vigor, the sons to the plow, the boys to the store, all the family to the home, and builded the great country and the eminence of the empire where she stands the marvel of the world and all mankind who view the achievements of men wherever they reach wonderful altitudes.

So, I must feel that it is the truth that after great wars shall have severed people and left them destitute for a while, they do not flee from the charred ruins, the stripped home, the pained scene, the graves of their dead. They build commerce, homes, churches; reerect their habitations, their mansions of industry, their factories of toil, and their homes of comfort.

If I were inclined to adopt the fear of many gentlemen whose views of course we greatly respect—in assuming that there was inclination on the part of those to leave their homes and come to this our country in such legions of numbers as seems to be the expressed fear—I am compelled here in the exercise of prudence, nevertheless on secure reflection, to recognize the country in which these people live. Will these governments sit idly by and allow the soldier to leave the field and flee his country and leave it barren and desolate? I can not assume it. There are too many methods readily arising to the mind of man, however lightly skilled in statesmanship, for him to overlook that there will be methods found by which these individuals and citizens will not be allowed to leave those countries, and that there will be such embargo and embarrassment, or rather barrier, that we need not fear even if the inhabitants had hoped to come.

Now, Mr. President, I invite your attention to the other danger of the measure. It is provided that this shall be a test. Senators, if the real purpose is to limit immigration, why not do it? If there are dangers upon the country by the multiplication of foreign citizens, why not announce it? If the time has come when an embargo shall be put upon them for any reason for our self-preservation, why not do it? Why adopt a method which on its face is a ruse and will fail of its object, is covered with hypocrisy—in all phases a pretense—and carries with it neither the suggestion of statesmanship on the one hand nor American courage on the other?

If there are dangers menacing this country from immigration sufficient that we should adopt a plan by which it should be limited, let us announce to the country where these dangers lie, set them forth specifically, give the reasons, and announce the remedy as an embargo either absolute or for a limited time, and go to the country with the justification of the action. But this ruse, which will be regarded by our fellow citizens as a pretense, will serve neither to satisfy those who wish to stop immigration nor limit it, and will greatly offend and wound those who feel it is addressed against them, their blood, and their household.

He shall read to the "satisfaction." Well, let us contemplate. I may be pardoned if I indulge in the speculation of a prospect. I will assume that a Democratic national administration is in power and that it is understood that the Bohemian and the Pole, coming from countries standing for principles against the kingdoms and empires, for which a democracy is supposed to be spokesman, offer themselves for entrance at Castle Garden. Those officials are Democrats, we will say. Do you think they will be exercising a very high degree of caution as to the extent that they mean to be satisfied as to whether those whom they feel would make Democrats can read, and are you not quite content that any degree of reading, quite slight, might satisfy those particular gentlemen? If you assume that that much might happen, as you know it has happened in cases I shall illustrate in a moment, you realize, therefore, that the expression "to the satisfaction of these individuals" only gives to this particular administrative court a form of discretion to wholly avoid the provision, or they will comply with it in such a reckless manner as to have it amount to absolutely nothing whatever, as an embargo or limitation.

Now I will assume that our honorable opponents are in power and it is those who come from the northern countries, from the Germanic Provinces, where it is assumed that they are inclined more to a centralized form of government than to a republic. Will my honorable opponents on the other side doubt for a minute that the same human nature on the part of their commissioner will be that which has been evidenced and evinced by mine; that as to these northern nationalities who are making their way to those States that are distinctively Republican, or which he fancies will be done, knowing that inclination of the past, will not find it most agreeable to be quite satisfied with any kind of representation of reading, knowing that politically they will contribute a great deal so soon as naturalized?

Again, will any one of these commissioners hesitate to grant every form of latitude rather than offend the particular element of nationality the same as these applicants, wherever they are, who are voters already, and thus run the risk of having themselves left in disfavor by their party leaders—those responsible for their appointment? We are human; we know that human nature is strong for self-preservation and that such would be the result.

My distinguished friend from Mississippi, the senior Senator [Mr. WILLIAMS], the other day, in an address for this bill, called attention to the fact that he would, if left to himself, be glad to advise more States to adopt something of an educational qualification for voting, such as he said Mississippi and Massachusetts have for the exercise of the suffrage; but I am sure he, and likewise the Senator from Massachusetts [Mr. LOBGE], will agree with me that where it ever comes to test these qualifications for the right to vote those in charge of the ballot box or of the political machinery have found it ever agreeable to see that these are always quite competent whenever their nature or vote is gathered and comprehended or understood. We do know that in the great cities of our country these forms and qualifications are always overlooked.

Mr. WILLIAMS. Mr. President—

The PRESIDING OFFICER (Mr. SWANSON). Does the Senator from Illinois yield to the Senator from Mississippi?

Mr. LEWIS. Certainly.

Mr. WILLIAMS. I very much dislike to interrupt the Senator from Illinois, but—

Mr. LEWIS. I am glad to have my astute and classical friend from Mississippi interrupt me, because I know he contributes information whenever he speaks.

Mr. WILLIAMS. Your friend from Mississippi is classical enough, but not always astute.

What the Senator from Illinois a moment ago said, or hardly said, but interrogatively asserted, is so unjust to the State of Mississippi and to all of her authorities that I would feel false to the State if I kept silent. There has never been a charge made by anybody worthy of anybody's credence at any time that in the execution of the laws of the State of Mississippi, in so far as determining whether or not a man could read or write, there has been any bias in making the determination. Furthermore, it would be impossible for there to be. A man must step up and sign his name, write the name of the precinct, and other things. The very fact that he can do so proves that he can read and write.

Mr. LEWIS. Mr. President, I am too much inclined toward great affection to the State of Mississippi, to her very great statesmen, and to my distinguished friend who so honorably represents her, not to concede at once that whatever errors or vices or offenses might apply to any other State in the Union, of course are exempt from Mississippi; but the thing I do allude to, and that which I must insist upon, is that wherever you create a principle and make it an object or compensation to the individual who has discretion, to enforce, as under this bill, to say when it may be and how, he will protect his object—

Mr. WILLIAMS. Mr. President, I have no quarrel with that, nor am I disputing the argument made by the Senator from Illinois, because I do not care to do it at this moment. It might be very easily disputed. But the Senator from Illinois dragged Mississippi's name into the controversy, though the Mississippi law does not provide that the man shall read satisfactorily to anybody. It simply provides that he shall read and write; he simply has to prove that he can read and write, not satisfactorily, but that he can read and write. I again repeat that the bitterest enemy of Mississippi has never asserted that in carrying out that law there has been any fraud or any unfairness or any prostitution of it for political purposes.

Mr. LEWIS. Mr. President, my distinguished friend the Senator from Mississippi says that he does not rise at this time to dispute this premise of mine, but that it can be very easily disputed, indicating that what is easy to be done he can do. That I readily confess; but I say to my able friend from Mississippi that it might be true that in the case of Mississippi there is no law requiring one to read to the satisfaction of anyone else or to have these qualifications to the satisfaction of anyone else; but I ask of my friend: Is it not true that if it could be so regulated that every white man in Mississippi could vote without regard to whether or not he could read or write it would be allowed if by the same provision the negro, or the objectionable negro, could have been denied the right to vote?

Mr. WILLIAMS. In reply to the change of base just made by the Senator from Illinois—to which I can compare nothing in all history except McClellan's change of base in front of Richmond—I confess that his last interrogative assertion is perfectly well taken. If Mississippi could have permitted all white

men to vote, regardless of their illiteracy, and could under the Constitution of the United States have disfranchised all negroes, in perfect frankness I say she would have done it; the Senator knows that as well as do I; but the point which the Senator previously made was a different one altogether. He asserted, or interrogatively asserted, that when we did fix a literacy test we have not fairly applied it, and that I deny.

Mr. LEWIS. Mr. President, my distinguished friend says that I have changed my base, and likens the change to what he says is the only similar instance in history, which is the change of base of McClellan before Richmond. I do not know whether my learned friend likens me to McClellan; I would, of course, be complimented by that likeness; or whether he likens himself to Richmond. If to Richmond, I know he means the Duke of Richmond, who was supposed to be a most eminent swordsman; and, of course, conscious of his capacity in that respect, I would not change my base to be in front of such an antagonist; but I say to my friend, I take his answer, that it is true that Mississippi would allow every white man to vote if she could, without regard to whether or not he was able to read or write; therefore the able Senator answers my indictment that there is no literacy test in Mississippi, that it is a test against the negro, not literacy, but to provide a method by which the black can not vote; and in order to prevent that, some whites, of course, come within the same category.

Mr. WILLIAMS. Mr. President, will the Senator from Illinois pardon me a moment?

Mr. LEWIS. I am glad to have my friend interpolate.

Mr. WILLIAMS. The Senator says because there was something that Mississippi would have liked to have done and could not, and therefore did not try to do, that therefore the thing which Mississippi did does not exist; he says that because Mississippi would have liked to have admitted all white men to the ballot and to have excluded all negroes, and because under the Constitution of the United States she could not do it, and because she resorted to a literacy test to approximately reach the same result, therefore she has no literacy test. The Senator might just as well say that because a man was sick and needed quinine and could not get it and therefore took something else, he did not take the other thing at all or that he never saw it. [Laughter in the galleries.]

The PRESIDING OFFICER. Occupants of the galleries are the guests of the Senate, and it is a violation of the rules of the Senate for them to express either approval or disapproval of any of the proceedings in the Senate.

Mr. LEWIS. Mr. President, it was only a matter of time, I knew, when my able friend would conclude his interpolation by something bitter—in this instance by an illustration of quinine. [Laughter.]

Mr. WILLIAMS. The medicine is bitter enough.

Mr. LEWIS. But I must say I accept the premise, and assert that if a man wished to take quinine and took something else, I would still insist that he had not taken quinine; I accept the proposition. I also say that if Mississippi has prescribed a test which she calls a literacy test for the purpose of voting, and that her object was merely to prohibit the negro from voting, that she was not prescribing a literacy test as a qualification of voting, but was merely prescribing a method that could be an embargo upon some; and having adopted this as that refuge she could accomplish that object, and that the principle behind it was not to prescribe a literacy test as a condition precedent to the right of a human being to vote, because she would have gladly given every white man the right to vote without regard to whether or not he could read or write if she could have done so consistently without allowing the ignorant negro likewise to vote—therefore having had that offered from so eminent a source as the distinguished Senator from Mississippi, I accept it.

Mr. President, I now proceed to point out what I said was the danger—and I know my friend will concur—with the provision of this bill vesting the discretion as to whether a person shall read to the satisfaction of somebody. That really does not prescribe any specific limitation upon the entrance of any person into this country, nor does it prescribe specifically any specific condition which prohibits in itself specifically by a rule of action or by law any class of people. Therefore, it is a ruse; to me it is a deception. It is one which could be practical, as I see it, in a manner that would work latitudes of favor in one direction and of favoritism or discriminating favoritism in another.

Mr. President, I have the second point to urge, which I beg my learned friends, as we are speaking in this matter as in a conversation, to contemplate with me. I could not give my approval to a principle which makes the test of education the right to enter into this country without conceding that there

was inherently in the country the right to make education the test of deporting a man out of the country; for the very moment we concede that principle in this Government we break down every ideal, shatter every foundation, and destroy the theory upon which we are founded for the preservation of liberty and the advancement of freedom to man. Sir, after that, that before a man can enjoy the principles on which this Government was founded we should have a form of educational qualification, the very next step must be that no man then would have a right to remain in the country who has already come in unless he likewise has the same qualification; and there will be a clamor at the door of the Capitol on the part of the very same influences that are seeking to inscribe this particular qualification in the law to deport all those already in the country if they likewise are not within the privileges of this exemption. Therefore I fear the introduction of this innovation; I fear the precedent it establishes.

Once, Mr. President, as I have said, you start upon this course there is no point at which you can stop, for the very next step will be, as intimated by the junior Senator from Georgia [Mr. HARDWICK], the able chairman from South Carolina, and my very distinguished and always alert friend from Mississippi [Mr. WILLIAMS], that there will arise in the minds of our countrymen the qualification of education for suffrage. We will have established it for entrance into the country, and we will then have established it as a qualification for remaining in the country; and then will arise that other demand that a man shall have a form of education before he shall vote; and the moment that is established, following this precedent, then we will have that other, which will follow fast upon its heels, that men shall sit in judgment as to whether a particular individual is educated sufficiently to cast a vote at a particular election, and that will turn upon the particular politics of that particular machinery.

I fear, therefore, Mr. President, the introduction of this innovation. I fear the future, and I say to the laboring man, I say to their eminent labor leaders, for whose sincerity we have great respect, for whose character we vouch with great confidence, that if it shall ever be successfully urged in this country that a man shall have to undergo an educational test to enter into this country the very opponents and persecuting tyrants of the toilers of this country will be found banding together to impose an educational qualification upon their right to vote. This upon the theory that that qualification can be so manipulated as to cut the great majority of the votes of the poor out of the participation in the political contests of this Republic. I, therefore, for that reason can not give my approval to the precedent that I fear is being established upon the part of the proponents of this measure.

Mr. SUTHERLAND. Mr. President, before the Senator passes to another subject—

Mr. LEWIS. I gladly yield to the Senator from Utah.

Mr. SUTHERLAND. I should have asked the question which I am about to ask a moment ago. The Senator has said several times that this bill provides that the immigrant must be able to read to the satisfaction of some official. Where does the Senator find that provision in the bill?

Mr. LEWIS. I ask my able friend who shall decide whether the immigrant can read? Somebody must decide.

Mr. SUTHERLAND. The Senator, however, said that the immigrant must read to the satisfaction of some one; which would imply, as I understand him, that the examining official could exclude him upon the ground that he did not read as well as the examining official thought he ought to read.

Mr. LEWIS. To which I answer, yes. The examining official would have a right to say, under this provision, as I see it, that the reading was not reading according to his judgment.

Mr. SUTHERLAND. No, Mr. President, if the Senator will pardon me, I do not so read the bill. It seems to me that the bill lays down about as definite a test as could well be laid down in that kind of a case.

Mr. LEWIS. Will the Senator kindly read the paragraph in section 3.

Mr. SUTHERLAND. The provision is as follows:

All aliens over 16 years of age, physically capable of reading, who can not read the English language, or some other language or dialect, including Hebrew or Yiddish.

Those are the classes of people to be excluded. Then there is a certain proviso which does not apply until you come down to the nineteenth line on page 8, and that provision reads:

That for the purpose of ascertaining whether aliens can read the immigrant inspectors shall be furnished with slips, of uniform size, prepared under the direction of the Secretary of Labor, each containing not less than 30 nor more than 40 words in ordinary use, printed in plainly legible type in some one of the various languages and dialects of immigrants. Each alien may designate the particular language or

dialect in which he desires the examination to be made, and shall be required to read the words printed on the slip in such language or dialect.

If the immigrant reads the words printed upon that slip, as I understand there is no discretion vested in the inspector, he must admit the immigrant; and if he fails to read them, then he must be excluded.

Mr. SMITH of South Carolina. Mr. President, I suspect that the Senator from Illinois has obtained his impression as to the meaning of the bill by the provision on page 9, where the proposed amendment is to be inserted, which reads:

That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious persecution—

Mr. SUTHERLAND. That is an entirely different matter.

Mr. SMITH of South Carolina. I think that is where the Senator from Illinois got his idea. In that provision are found the words "prove to the satisfaction," and so forth; but under the literacy test as provided in this bill the question of admission is absolutely in the hands of the immigrant himself; all he has to do is to read a certain number of printed words, and if he does, he is entitled to admission.

Mr. SUTHERLAND. According to my understanding, that is the end of the matter.

Mr. SMITH of South Carolina. There is no limitation whatever.

Mr. SUTHERLAND. If he reads the slip, he is admitted; while if he fails to read it, he is excluded.

Mr. LEWIS. Mr. President, I thank my able friends, but I do not misapprehend the provision at all. I may be in error as to my conclusions; that is a mere difference of opinion; but I most respectfully urge upon my learned colleagues that the bill provides that an officer—I have called him a "commissioner," because the head officer is the commissioner, but I should refer to the others as underofficers; and in that respect only is my nomenclature inaccurate—the bill provides that an inspector shall hand the immigrant a slip containing printed words in some prescribed language, and the immigrant shall read to the inspector. Therefore the law creates the inspector the judge as to whether the immigrant is reading sufficiently well, and vests in his sole discretion the judgment as to whether the immigrant reads with sufficient intelligence and knowledge as to characterize his performance as reading within the meaning of the law as that inspector sees it. Does my able friend from Utah deny that that is his privilege?

Mr. SUTHERLAND. Mr. President, I think it is perfectly clear from the provisions of this bill that the sole test is whether the immigrant is able to read the slip which is presented to him. The question as to whether or not he reads it well or reads it ill does not enter into the matter at all. The Senator from Illinois would read very much better than I would read, and yet if we two presented ourselves to the inspector I do not understand, if we could both read the slip, that the Senator from Illinois would be admitted because he read it better than I read it and that I would be excluded because I did not read it so well. It is a simple test as to whether or not the slip can be read, and if it is read, then the immigrant is entitled to admission.

Mr. LEWIS. Now, I will give to my friend a simple illustration. A child is 4 or 5 years of age. The affectionate mother has begun to teach it its letters, and the child with a few letters brought together may be able to recognize and spell the word "dog" or "cat," and yet it could be clearly and truthfully said that the child could not read, although the child might be able to designate those one or two terms. So the immigrant inspector has to decide in his own judgment whether the method of procedure, the final pronunciation, and the final discharge of the undertaking amounts to a reading. I am sure if that be not in his power there would be no power in him at all, because otherwise you would leave it to the applicant himself to be the sole judge as to whether he could read. Somebody must decide as to whether he has complied with the reading test, and therefore I am merely calling attention to the fact that that very discretion offers such room for abuse, as I see it, and the provision is likely to receive such administration as will make of it an instrumentality of persecution or a farce, and even if it did not, I maintain that no such qualification would serve either the purpose of preventing bad men or unworthy men from coming into the country or putting a limitation upon immigration to avoid any evils, if such evils exist, from the influx of immigration.

Why, sir, would it be but a ruse? I see sitting around me Senators who will recall the history of certain contract-labor

laws, and, without reviving it to their minds by reading them dreary excerpts from the books, how well do they remember that hordes of individuals, in numbers, schools, classes, circles, and communities, were all prepared as to certain forms of interrogatories and certain forms of answers by which the law was violated wholesale through these instrumentalities. Supposing that these particular slips are prepared and the slips are in the hands of the immigration inspectors, is it not perfectly clear to us all that it is only a matter of time when every one of these slips will be known, after having been presented to the first few hundred immigrants, to the other few thousand? They will all be known; the words used would be relatively few. The trick of having the immigrants educated to just that exact extent is so apparent that, far from serving the purposes for which it is designed, my distinguished colleagues, it will offer an opportunity for abuses by making liars of the people who come in, common tricksters of those who desire them to come in, and the perpetrators of fraud on the part of those who administer it.

Mr. WILLIAMS. Mr. President, will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Mississippi?

Mr. LEWIS. Gladly.

Mr. WILLIAMS. Does the Senator think that the law requires that the same slips shall be submitted every day?

Mr. LEWIS. No; I say to my friend that it would not be so, and that is why I remark that after a great number of times they would have to be duplicated.

Mr. WILLIAMS. If the same slips were used they could be memorized, but if different slips were submitted on different days they could not be memorized.

Mr. LEWIS. If different slips were offered on different days it would only be a matter of time when a certain number of slips would be well known and a certain number of words well understood, because the number of words that would be used would be relatively limited, and it would only be a matter of time when enough knowledge could be communicated to those at home by those who had arrived to serve the purpose of the ruse and work a deception upon the whole system.

I am afraid my able friend from Mississippi misapprehends my purpose. It is this: To demonstrate that the number of people that it might really keep out in its final and legitimate application would be so small that it would really work no benefit against evil, if evil there exists in this country, nor would it avoid the repetition or multiplication of that evil if such is now threatened from foreign shores.

Mr. SUTHERLAND. Mr. President—

Mr. LEWIS. I yield to the Senator from Utah.

Mr. SUTHERLAND. I was about to suggest to the Senator, in line with what the Senator from Mississippi has suggested, that this matter is entirely in the hands of the Secretary of Labor. He is to prescribe the slips, and it is not to be supposed for one moment that he will use the same slip over and over again or even a limited number of slips over and over again. Having the administration of this law in his responsibility, he would undoubtedly try to make it effective, and he would prescribe slips of an indefinite and unlimited variety so that there would be no duplication one day after another.

Mr. WILLIAMS. There could be a new slip every day.

Mr. SUTHERLAND. Yes; there could be a new one every day.

Mr. LEWIS. Now, may I ask the Senator from Utah to hearken to me a moment? The Senator from Utah will now see the application of my previous strictures. Upon that theory the Senator from Utah will see that the inspectors might fear that those who had arrived had communicated some of the contents of their slips to those who were coming, and therefore to prevent them from having the benefit of that memorization he would insist on the immigrant being able to read every word upon the slip, and should he fail in some one word the inspector would assume that the immigrant read only from memorization of the few words that had been communicated to him from previous slips, and under the discretion vested in him he could declare that the immigrant does not read sufficiently well. At once it will be seen that there is room for a trap or for a trick or for deception.

Discretion would be to a great degree exercised in order to avoid the very thing that I say is possible in the memorization of these slips. The inspector would have to go to the very extreme in order to avoid it. Learned Senators will see, I am sure, what I mean. It is not that I am criticizing the bill for this provision. I recognize how very difficult it is to make any provision that would serve your purposes. I am pointing out that this particular provision, as you may readily see, does

not serve the purpose, if the purpose is to keep out of this country objectionable people, who, because of their numbers, would be ill or evil to our Nation. This particular form of embargo accomplishes no result, produces no remedy, and relieves us from no misfortune.

Mr. President, I want to call attention, as I proceed with this discussion, to some plain facts. I call attention of the Senator from Vermont [Mr. DILLINGHAM]. I recall that the history of this whole legislation discloses that the Senator from Vermont, as chairman of this committee in the preceding Senate, had occasion to make a number of reports. In his very able presentation on yesterday we discover that the Senator's remarks include, first, the commission of 1882, which made representations to the country setting forth the class of immigration that was undesirable. But the commission of 1907, by a strange turn in the wheel of possibilities, appears to recommend as wholly available those who in 1882 were denounced, and finds a new order in 1907 as the objectionable ones.

The Senator from Vermont produces a table, which I dare say can not be disputed, which discloses that in the one census taken at the time of the first immigration 14 per cent of these individuals could not read, but immediately following, in the very next census, only 3 per cent of the same. This shows you very clearly, my brother Senators, that after arriving in the country they had been here but a short while when their illiteracy very largely decreased, and they became sufficiently learned to be placed in the category of the learned of our citizenship. Moreover, any elements of objection which had prevailed at the time of the commission of 1882 had been wholly removed, or so largely that in 1907 those who were the subjects of denunciation in the first report were the objects of commendation in the second. So it is clear that the standards which we assume to adopt at this time may be equally obsolete and equally inequitable and unjust 10 years from to-day, or 5 years, as the one thus created in the short hiatus disclosed by the speech of the able Senator from Vermont.

Mr. President, the city that I represent, speaking personally—as I live in Chicago and my able colleague lives in another portion of the State—has a very large foreign-born population. It may interest you to know that there is not a nationality that is known that has not some representation in the splendid city whence I come. The people of these nationalities feel greatly aggrieved that a committee of this body recommends that their families and their kinsmen shall be eliminated from the enjoyment of the liberty of this Nation, and particularly that it is proposed that they shall be eliminated, prohibited, and forbidden upon reports in which they were allowed no opportunity of hearing. They say that their nationalities had no representation; that they were given no chance to present the real knowledge that could have been given; and they propound the query to us: When has any commission from this country gone abroad to study the real class of people, as they live and exist, who should or should not be admitted into our country? What qualifications would you say you possessed to prescribe who should be admitted from any knowledge you have of these people, the land in which they live, the distresses which they suffer, the despotism which they endure, the persecution which afflicts them? They call to your attention the fact that you sit in solemn chamber here at Washington, you hear a few individuals, and from these individuals, numbering no more than the fingers upon your hand, you make a computation of the millions which represent their blood and brawn, their life and character, their achievement and sacrifice, their nobility and suffering, their life and death; and they inveigh against the injustice of it as they see it. They feel that this honorable body has not qualified itself to pass judgment upon them, their generation, and their time.

Mr. President, I must insist that there is one test that it is well for us to undertake. It is the test of the character of the individual. I would it were in my power to devise at once and spontaneously and recommend to my colleagues some prescription and standard by which to test the character and fitness as human beings of those who come to enjoy the liberties of our Nation, my reason being that no man has a right in this Nation who does not come with the idea of respecting its institutions, revering its sacred traditions, living for its glory, and dying for its perpetuation, if need be. If a man, whoever he is, by his associations in the place from whence he came, by his life and habits, is so situated that clearly, upon analysis of the man, he is unfit to enjoy the privileges of this Nation because of the danger he threatens, the things he menaces, such a one should be prohibited. But, Mr. President, I am not able to concede that the mere fact that a man can not read is a standard by which such could be judged.

Here sits my friend from Mississippi [Mr. WILLIAMS], to whom I pay the compliment, without qualification, of being one of the learned scholars of our body. His writings, his lectures, his eminence in many directions testify to that. He referred to McClellan in a gentle passage between ourselves—a very eminent soldier. Since his knowledge of martial matters, I know, is equally good in all respects, I invite his attention to one of the most remarkable cavalry officers the world has recorded—Murat; Murat of Napoleon's campaigns; so magnificent an officer that he was the only man from whom the great Stonewall Jackson of this country seemed to feel justified in taking a lesson, and yet Murat was once a waiter in a restaurant, unable to read the slip to let the man know how much he owed when he wished to collect the bill of the public house.

My learned friend will recall that the barons of Runnymede, who laid the charter of the liberties of our country, not only could not read, but the king to whom they made their approach made his only sign by the hilt of a halberd. Surely these, to whom we appeal as the sources of our inspiration, the very monuments of our renowned civilization, could not have been such if the mere test of reading and writing could have been applied to test their manhood or patriotism.

The able Senator from Missouri [Mr. REED] gave us a catalogue of the number of people who have come into our country and by their splendid performance of citizenship have commended themselves to our admiration and left behind them the record of their glorious deeds who in the beginning could not read. Therefore I am not able to accept the idea that the mere matter of reading can be the test of the soul. I can not accept the idea that reading is the test of the worth of life. I can not accept the idea that mere reading will make a law-abiding citizen. To the contrary, I must insist that many men who have committed offenses in this country against our laws—and who ought to be, if they could be, taken from out of our country because of their deliberate, impudent defiance of our institutions—were those the most learned—learned in craft, learned in the skill of disobedience, learned and equipped in all the methods by which they might violate the law and escape the penalty. Therefore I must respectfully urge that the real test of citizenship in this country—the right to enjoy the liberty and freedom of this country—should rather turn upon something else than this which is prescribed under this bill.

Mr. President, I have now manifested very clearly my objections to the fundamental phases of this proposed legislation. I heard my learned friend from South Carolina [Mr. SMITH], the chairman of the committee, the distinguished junior Senator from Georgia [Mr. HARDWICK], and the able senior Senator from Vermont [Mr. DILLINGHAM] enter into some disputation as to the class of people who were supposed to be the objects of this bill, to the effect that they crowded into the cities—that they did not till the farms.

Mr. President, it may be true that the citizens from the northern European countries have gone to the farms in greater number than those from the south; but, Mr. President, I invite attention to the fact that that does not apply solely to the foreigner. Our cities are congested with American-born citizens. They are congested with people who come from our own little country towns. The cities are congested because of the allurements of the city to the individual, not because he is a foreigner. The reason why the farms are not occupied by these people from foreign countries as well as from our own is not because they might not prefer the farm, but because our Government has offered no inducement calling for the humble individual from abroad to go to the farms. It offers him no encouragement; nor does it offer such to any American crowded in our cities. Our country offers him the barren land; sends him empty handed to the naked soil, to the bleak winds, the frosty mornings, the cold and chilling nights. He is without a dollar, without a cent. He must enter upon that land. No provision is made to give him the implements by which he may undertake farming. There is nothing to give him a home in which he may be sheltered, no provision to induce him to remain on the farm by which he might stay there and provide a living for himself, habitation for his family, or cultivation of the soil. If conditions were changed and our Government turned itself about to make some slight provision for these people in order to encourage the settlement of the farms, the criticism of the able Senators that these people flock to the cities instead of the country, I am sure, would not have applied. Therefore we see very clearly that the real reason they are in the cities and not on the farms is not because of preference but because of conditions.

Mr. President, this provision of the pending bill, so far as I am concerned, wars against every principle of the Democracy. I am unable to see, from my point of view, how the spirit of Democracy, which is supposed to open wide its arms, to extend

them to all the oppressed, can say: "Yes, unless your oppression has been so great that you have not even had the opportunity of learning how to read. If so, you can not come in. If your oppression has been so great that you have been oppressed to the degree that you could not even have the opportunity of a schooling by which you could learn of the reasons of your wrongs or where you may get your rights, you shall not come in. We tell you that your oppression has been too great, and for that reason you are not to have the benefits and privileges of this land of liberty and this asylum of freedom." What form of exception is this that you can dare to justify before the great heart of the Democracy of this country?

This provision wars, as I see it, against the spirit of Republicanism, which is to open the gates of this Republic to those who cry for freedom and liberty, to those who deserve it because of their manhood, their character, their life—they who show by their existence obedience to the laws of man and reverence for their responsibility to God. If there shall come a time when the mere presence of immigrants shall menace our country in other directions, then we can address ourselves to it by giving the reasons, and then, upon these reasons, act openly, nobly, frankly, and trust to the good sense of our Republic to justify our course. But, as I see it, this device works a fraud. This ruse works a deception. This pretense gives no relief, and inflicts the Democracy, for which I assume to speak, and the spirit of Republicanism with an outrage and a wrong.

Senators, as I view it, you can not pass this bill and any longer hold us up before the country as representing the spirit that gives refuge and asylum to oppression. If you pass this bill, your next duty is clear to my mind—that we immediately pass an act that shall have for its purpose the tearing down of the statue that is at the gate of New York as we enter into this Republic the endowment of Bartholdi, a Frenchman of German extraction, and that we cast it into the sea. In its place, instead of an inviting figure with its arms extended, with Liberty enlightening the world, inviting all the oppressed to find asylum and refuge here, let us change its aspect. Instead of those kindly eyes looking out over the seas with welcome, let us insert as eyes fireballs that glare and blaze defiance and threat. Instead of the extended right hand opening its palm and welcoming these people as friends, let it clutch a weapon that threatens to strike to death their dreams. Instead of the kindly, smiling lips that it presents, welcome and gracious invitation to all those who are oppressed to come, let us put upon those lips scorn at misery, sneer at oppression, and inscribe as the motto on its brow, "Let no one hope to enter here. To those who are oppressed let them beware! The more oppressed you are, the less hope you have in this Nation. The more has been your oppression, which has added to your misfortunes at home, the more we will continue you where your misfortunes may increase, your misery multiply." Let us dethrone the statue, cast it into the sea, and a truth this measure speaks—warning such as Dante saw over the gates of the inferno—that "they who *would* enter here leave all hope behind."

Senators, I tender my motion to strike out this section, because, as I view it, it is un-American, un-Democratic, un-Republican, and visits an injustice and an outrage upon the spirit of freedom of this the American Republic.

Mr. LEWIS subsequently said: Mr. President, I desire, as a portion of my remarks, to introduce an article from Current Opinion, being an extract from Edward A. Steiner's story, "From alien to citizen." It is only a page and a half. If I may introduce that in my remarks at an appropriate point, I should be glad to do so.

The PRESIDING OFFICER. If there is no objection, the request will be granted. The Chair hears none.

The matter referred to is as follows:

THE AMERICAN SPIRIT THAT OVERCOMES RACE PREJUDICES.

At a time when the revival of so-called racial animosities appals the world an American may experience another kind of thrill by reading Edward A. Steiner's story of his life in America, "From Alien to Citizen." In its spirit and in its record of personal experience the book is a document of extraordinary "human interest." Prof. Steiner's delight in relating an incident of his clerical life of the minister of public instruction of Hungary in Chicago is typical. They had been watching a social-settlement basketball game over which his excellency became enthusiastic. "Of course, these young men are native Americans," he commented. With perfect assurance, Prof. Steiner replied: "There is not a native American among them. The losing team is made up of Slavs from the Stock Yards district, and the winners are Jews from the neighborhood of Twelfth and Halstead Streets." To prove it, Prof. Steiner called one of the players, asked his name and birthplace, and said, "Now, my boy, I want you to meet his excellency the minister of public instruction of your own country." Prof. Steiner continues:

"With perfect democratic dignity, the boy shook 'his excellency's' reluctant hand, saying heartily: 'I am glad to meet you, Minister. How do you like Chicago?'"

"It took 'his excellency' some minutes to recover from the shock. Then he said to me in tragic tones: 'It is impossible! This boy belongs to the lowest of our subject races. We have ruled them for 900 years, but have not really conquered them. We have forced our language upon them and they have refused to speak it. We have forbidden the use of their mother tongue in the higher schools, yet they never forget it, and with each year they become more and more Slavonic. You take our refuse, our lowest classes, and in a generation you make Americans of them. How do you do it?'"

Prof. Steiner grew up among Slovak boys and left his Jewish mother in Hungary to come in the steerage to America. His story shows intimately the forces which are at work, both for good and evil, upon the immigrant—the sweat shop, the mills and mines, with their grinding labor; the lower courts, the jail, the open road, with its dangers; the American home, the college, and the Christian Church. He now occupies the chair of applied Christianity at Grinnell College, Iowa, and has become most widely known for his personal and public work for immigrants. "I have tried," he says, "to humanize the process of admission to this country, to expose and abolish the worst abuses of the steerage, and to interpret the quality and character of the new immigrant to those Americans who became hysterical from fear and believed that these newer people were less than human."

"Upon the vast army of workers who free us from hard and dangerous toil we must look with the respect due to their calling. The man who goes into the depths of the mine and exchanges his day for night, that we may change the night into day; the man who faces the boiling caldron and draws ribbons of fire from the furnace for our safety and comfort; the man, the woman, and the child who have bent their backs to stitch our clothes, have not only justified their existence but have made ours easier, more beautiful, and safer. That they are Hungarians, Italians, or Jews ought to make no difference, for, after all, they are human."

Against holding the immigrant responsible for every supposed evil to which society is heir, Prof. Steiner has stood out. If he is optimistic regarding the future, he says it is because he knows from actual experience that the newer immigrant is just as worthy as those who preceded him.

"I have shared his economic burdens for many years and have seen him lifting himself and his family to a new and higher level. I have watched him develop his downtrodden strength and his hidden talents. I have also sounded the note of warning, for I have known him to become more and more the victim of our industrial maladjustment, suffering anew from overstrain, accidents, and occupational diseases."

"Over and over again I have traveled the 'trail of the immigrant,' from shop to mill, from farm to mine, and back again. I have retraced my steps to the villages and towns of the Old World, and have repeatedly gone over the selfsame path which once I traveled from sheer necessity. I have joined my life to thousands and tens of thousands of these strangers. I have helped to create groups of faithful workers and have endeavored to fill them with the prime requisite for their task—an effective sympathy."

"I have touched in the great throngs the men and women who voluntarily or perforce have become the neighbors of these aliens, and they have justified my faith. I have not yet heard an ill word spoken of them by those who know them best. Their detractors always live at a distance."

Climate, quality and quantity of food, economic opportunity, a good wage are important environmental influences. But Prof. Steiner's plea is for the strengthening of the one power which he has found most active in shaping and reshaping not only his own life but the lives of others—"the spirit of democracy, which basically is supreme confidence in man."

The generations which are to follow as a result of race mixtures here, Prof. Steiner thinks, "will be an American type in whose shaping environment will play a larger part than inherited race qualities."

"We are told by a certain professor whose genius in generalizing is unquestioned that we shall become a mongrel race and lose all those qualities which have made us virile, intelligent, and resourceful."

"Others tell us that we shall become a superrace, inheriting the virtues of all these people who mingle with us; that we shall surpass every other nation in strength and talents."

"I am frank to say that I do not know what will happen. The effects of intermarriage are imperfectly understood, and we have no reliable data; but I am not a believer in the immutability of race. I stand between Chamberlain's 'Rasse ist Alles' and Finot's 'Rasse ist Nichts'—race is everything, and race is nothing. My own observation has led me to believe that nothing serious happens when a child has in its veins a mixture of Latin and Saxon blood, and that Slavic and Semite mixtures, and others, too, have produced normal children."

It was in the Lower Town Church, in a large city of the Northwest, situated between huge terminal railroad yards, that Dr. Steiner changed the text of his preaching from "People, be good" to "People, be good to one another." There was a cosmopolitan congregation of wage earners, he tells us, Scotch, Scotch-Irish, and real Irish; Germans, English, and French; Swedes and Norwegians, one happy Italian, and a few Americans. The children were mixtures of many races, and they constituted splendid new stock to quicken the life of the Nation:

"In Lower Town I saw the supreme test of the church accomplished. A vital unity was created among people of different races and tongues. They were bound together into a new blood kinship which is wider than tribe or nation or race, and they were a new people, one in Christ Jesus."

"There for the first time I came in touch with the 'Melting Pot.' It was not a chafing dish with an alcohol lamp under it, as many, forming their conception of it from Mr. Zangwill's rather mild drama, imagined it to be; it was a real, seething caldron, with its age-old fires of hate and prejudice threatening to consume its contents. Then came the torrent of love, with its mighty power, putting out the old fire by kindling a new one."

"There in Lower Town my neighbor, an old Jewish rag man, came and asked me to 'commit a matrimony' by marrying his niece to as typical an Irishman as I have ever seen. There, too, I baptized the baby born of that Irish-Jewish parentage."

"The relatives on both sides claimed the privilege of selecting its name, and decided on Patrick and Moses, respectively. A conflict seeming imminent as I stood ready to perform the sacred rite, I interposed, and with one syllable from each name, baptized the child Patmos, which satisfied both factions."

"This boy Patmos," adds Prof. Steiner, "became rather symbolic of all my ministry, for it has been my supreme effort to reconcile old divisions, blot out old hates, and bring into kinship those who have been afar off. It would be too great presumption to believe that I have always succeeded; but to feel that I have tried, that I am still

trying, and have not lost faith, that it shall ultimately be accomplished is something in which to glory."

Mr. WILLIAMS. Mr. President, I rise now not for the purpose of making any extended remarks, nor for the purpose of making any argument upon this subject, but, in the interest of historical accuracy, to correct a mistake made by the Senator from Illinois [Mr. LEWIS].

He referred to Murat as having been "a waiter in a restaurant," who "could not read the tickets which were brought to him with the meal charges." So far from this being the case, Mr. President, Murat had been a student of theology and was educated for the priesthood. Murat was never, so far as I know—though, among his varied experiences that may have been one, however—a waiter in a restaurant at all. He was the son of an innkeeper, and from that fact, perhaps, the Senator from Illinois got his idea.

If the Senator will turn to the Century Cyclopedia of Names, he will find the following (italics mine):

Murat, Joachim. Born at Bastide, Lot, France, March 25, 1771; executed at Pizzo, Calabria, Italy, October 13, 1815. A French marshal, and King of Naples, brother-in-law of Napoleon I.; famous as a cavalry commander. He was the son of an innkeeper; studied theology at Toulouse; entered the army as a volunteer, and served with distinction in Italy, 1796-97, and in Egypt, 1798-99, becoming a general of division—

And so on.

Mr. LEWIS. Pardon me; my distinguished friend forgets that he was taken up after being a waiter, his education paid for, and given inclination to the clergy. Friends took him and sent him to college; but he was a waiter in his father's place and could not even read.

Mr. WILLIAMS. The Senator from Illinois, in illustration of his point, quoted Murat as the instance of a very distinguished man, who had had a very distinguished career, who could not read.

Mr. LEWIS. He began his life—

Mr. WILLIAMS. Oh, there was a time in his life when he could not read, of course, and a time in mine when I could not read. [Laughter.]

The PRESIDING OFFICER (Mr. SWANSON). The Senate will be in order.

Mr. WILLIAMS. But the Senator referred to him as an instance of a man who had done very distinguished things and achieved very great things, notwithstanding that he could not read; and said that he was "a waiter in a restaurant"—not that he helped to serve guests in his father's inn at times—and that he could not read the meal checks that were brought to him, from which the inference was left upon the minds of the Senate that this great cavalry leader performed all of his great achievements without the advantage of being able to read the general orders of his commander in chief, even.

Now, I will go a little bit further.

Mr. LEWIS. Mr. President, just a moment.

The PRESIDING OFFICER. Does the Senator from Mississippi further yield to the Senator from Illinois?

Mr. WILLIAMS. In one moment I will yield again to the Senator; but I want this to come along regularly.

Mr. LEWIS. Yes; but I must beg the Senator not to—

The PRESIDING OFFICER. The Senator refuses to yield for the present.

Mr. WILLIAMS. Not at this moment. I will yield in a second.

If the Senator will turn again to the Encyclopædia Britannica he will find, under the head "Murat," the following:

Murat, Joachim (1767-1815). King of Naples, younger son of an innkeeper at La Bastide-Fortunière in the Department of Lot, France, was born on the 25th of March, 1767. Destined for the priesthood—

From his very boyhood—

he obtained a bursary at the College of Cahors, proceeding afterwards to the University of Toulouse, where he studied canon law.

That is, ecclesiastical law.

His vocation, however, was certainly not sacerdotal, and after dissipating his money he enlisted in a cavalry regiment. In 1789 he had attained the rank of *marchal des logis*—

And so forth.

Now, this has nothing to do with the debate, Mr. President. I merely called attention to it because, in the interest of historical accuracy, I knew that the Senator did not want to leave behind him a misapprehension. He did not want to leave behind him the notion that this great cavalry commander did all that he did without being able even to read, and if so, not even the general orders of his commander in chief.

That reminds me that during the debate several little mistakes of that sort were made. The other day a distinguished Senator, in paying a tribute to the German race, mentioned Edison as one of the Germans in the United States. Edison's ancestors came to the United States from Holland, not from

Germany; they came here in 1730 and settled in New Jersey in 1730. So he is about as good an American as any of us, because none of us were Americans before we came, of course. [Laughter.] We came from somewhere in order to get here. All the white people did, at any rate. The only real native Americans are the Indians. [Laughter.]

I yield to the Senator.

Mr. LEWIS. Mr. President, no one finds greater consolation than I in the fact that we have in the Senate a gentleman who feels it his privilege to rise and correct what he thinks have been all the errors of all the Senators all the time.

Mr. WILLIAMS. Mr. President, I did not yield to the Senator for the purpose of being insulting. I yielded to the Senator for any question that he might put or any argument that he chose to make. It is absolutely untrue that I have undertaken to correct all the errors of all the Senators at all times, and the Senator knows it. I have corrected one individual error, and a very flagrant one, of this particular Senator.

Mr. LEWIS. Mr. President, the Senator knows that no Senator is further from the suggestion of an insult than I. For myself, if anyone intimated that I had the capacity to correct all the Senators in all the errors that were made, I would regard it as a great tribute, not an insult.

I wish to say, however, that the learned Senator has called attention to the after days of Murat, and he has intimated that I sought to intimate that when that officer was a *marchal* he could not read his orders. Nothing of the kind was ever intimated. The Senator found that agreeable to suggest, in order to verify positions he had heretofore taken. Nothing of the kind had been intimated. I used the illustration in connection with those whose origin was very humble who rose to very high stations, who had obtained an education with great difficulty, and coupled the matter with similar instances which had been referred to by the Senator from Missouri.

Now, I will say to my able friend that I may not be so skilled in all the details of all history—

Mr. WILLIAMS. Mr. President, I did not yield to the Senator for a speech.

Mr. LEWIS. I would love to make a speech to my able friend if it would be appreciated. I desire to say, if he will pardon me, that I shall place on his desk in a few days, as my colleague, a book I have written on France—not an exceedingly good book, not so learned and capable a book as might be written by many others; but in this book I have devoted a small chapter to this individual, after having given considerable investigation to his character, surroundings, and career. I think the Senator will see from that chapter that the early origin of Murat has been well fortified by footnotes, and that these encyclopedias to which my friend had to take his recourse to find information regarding this distinguished gentleman only referred to the latter days of his life when he reached glory.

Mr. WILLIAMS. Mr. President, I am not referring to the latter days of a man when I quote the authority to the effect that he was "destined for the priesthood," went through a college, and afterwards went through a university. He did that, of course, while he was a boy; not after he became a man.

I do not know what was in the mind of the Senator from Illinois; but I frequently find that there is a disposition to confer all sorts of honor upon ignorance, and that it is very popular to do it. When the Senator made that assertion it did not accord with my recollection of history, and therefore I got these books for the purpose of finding myself wrong or else dissipating that idea as far as I could.

There is generally a disposition, I will not say to make an apotheosis of ignorance—because unfortunately ignorance is not yet dead in this world, and an apotheosis can only come after decease—but to make a eulogy upon it, and to try to prove at all times that many men have been great because they were ignorant. Now, there have been a few men in this world who were great notwithstanding the fact that they were ignorant—some few. It is true that the barons at Runnymede could not sign the Great Charter. It is true that many a king in Europe at that time could not have done it. It is true that for years and years that hardly anybody but the priesthood in all Europe could read, hence the "right of clergy"; but that does not prove anything in modern America or in modern Europe at this time. We are in a different age and must meet a different competition.

There is no excuse for a man with an enterprising mind and with any native intelligence at this hour of the clock in the twentieth century, or at an hour of the clock previous to this in the latter part of the nineteenth century, in either Scandinavia, or Germany, or Holland, or Belgium, or France, or northern Italy, or Scotland, or Ireland, or England, or Wales reaching adult age without being able to read. There is but

one of two reasons in the world to be given for it—either laziness or stupidity.

The school facilities in Germany are better than they are in the United States. The school facilities in Switzerland are better. The school facilities in France, and in Belgium, and in Holland, and England, and Ireland, and Wales are every bit as good; those in Scotland are better. The school facilities in the greater part of Scandinavia, Denmark, Norway, and Sweden are better than they are in the United States. All this talk about their not being able to read and write because they are oppressed is not quite accurate.

There are parts of Europe where people can not read and write because no opportunities have been furnished them, or, rather, because sufficient and abundant opportunities have not been furnished; but that, again, is not the point, Mr. President. We are not excluding the individual because of lack of individual honesty or character. As I said the other day, we are not aiming at a person. We are aiming at a thing, and a dangerous thing—ignorance—a thing dangerous to morals, dangerous to civilization, but above all dangerous to free institutions in a country where every featherless biped who reaches 21 years of age can vote. The father of Democracy himself laid down the principle that the perpetuity of this Republic depended "upon the intelligence of its citizens," and when the Cortez of Spain, the Spanish people having arisen against Napoleon and undertaken still later to establish a Republic, enacted an educational franchise, it was Thomas Jefferson who came out in one of the most eloquent letters ever written welcoming it as a step forward in the march of civilization which hitherto no other people had had the sense to make.

You are not oppressing a man because you are keeping him out of America, keeping him from becoming a member of our family politic. Gentlemen talk as if everybody born on the surface of the earth had a God-given right to come here and pretend to be Americans. I do not believe that even my ancestors had a right to come here and take the land from the Indians without paying for it and without their consent. That is going back to sure-enough native Americans.

Of course the word "Americanism" in a certain sense is a mere comparative term. One man's ancestors coming in 1608 and another's in 1730, as Edison's did, another comes 100 years later, and all that, but all of this is wide of this mark, Mr. President. All of it is wide of the salient point, that if we want to take care of the Republic, if we want American traditions and American ideals and American civilization and American free institutions conserved and perpetuated, then we want the foreigner who comes to our shores to be what? First, able, competent, intellectually "fit" to help mold our institutions, to assimilate our traditions, to further our ideals, to improve our institutions.

That is first, and second what? And upon this I, in my thought, am emphatic. We want a man who, when he took his naturalization oath, did not swear to a lie, who, when he said, as a condition of naturalization, that he cast off all allegiance across the water did not keep concealed a mental reservation to king, kaiser, czar, emperor, what not, who did not come here with the idea that it was permissible after he had settled here to regulate his conduct in America as an American citizen by something going on beyond the water. The minute he does that he confesses he committed perjury when he took out his naturalization papers.

If you are going to have a foreign-born man help to mold American institutions, let it be a man who is competent for American citizenship, and, moreover, let it be a man who is willing to be an American citizen, who down in the bottom of his heart means what he says when he takes his naturalization oath, and who does really mean what that oath means, that the sole loyalty he in his heart holds to any government on the surface of this earth is loyalty to the Government of the United States.

As far as I am concerned, and I rather like plain speaking, I do not want anybody else of any other sort. If he has the slightest mental reservation whereby he proposes to mold or control or influence American institutions or politics, in war or peace, in sympathy with some other country's institutions or national ambitions elsewhere, then, even if he can read and write, I do not want him. If he can not read, I do not want him even then. He could not understand and appreciate what his new allegiance means.

I think after we are through with this immigration legislation we ought to go further in connection with our naturalization laws and make a man when he took his naturalization oath swear if a war took place in Europe somewhere between his old country and some other he would still preserve his allegiance

to the American flag and not go across the water in order to serve in the armies of one of the contending parties, and that when it came to a possible mental reservation retaining allegiance to any other power he ought to be made to assert that, to the best of his ability, he would never permit himself as an American citizen in connection with American domestic or international political questions to be influenced by the interests of the country of his nativity.

You may call that narrow if you want to. It may be. All patriotism is narrow to some extent. There will come a day when patriotism will go out of existence, because every man everywhere in a high state of civilization will be a citizen of the world, and he will not stand upon the idea of putting the interests of his own particular country foremost. But we have not reached that age yet, and as long as we have not reached it we want men who *profess* to be American citizens to be Americans. I do not mean by that to be born in America. I do not mean by that to have had a parent born in America; but that they shall love America, that they shall assimilate American traditions, that they shall love American ideals, and that they shall be capable, at any rate, of understanding American institutions.

I go further than that. I can not say with the Senator from Illinois [Mr. LEWIS] that the proposition of not admitting a man to our shores because he has not a certain degree of intelligence carries with it as a corollary the idea of deporting him if he does not. I can not go that far; but I certainly would not arm ignorance, even though already existing in the United States, with a sword which it does not know how to use—the ballot.

The so-called right of suffrage is not a right at all. It is a privilege conferred upon the citizen by society in the interest of society. Little by little it has broadened and grown, covering more and more people, taking in more and more individuals, because little by little competency and fitness and intelligence have broadened and grown. It ought not to broaden and grow one whit more than competence and intelligence do. You can not confer a worse curse upon any community in the world than the much-vaunted American "universal suffrage" if a majority of the people in any section or community armed with the ballot are incapable of exercising the ballot intelligently. You had better have an intelligent king. You had better have anything than that.

But I did not rise to make a speech. I had no idea of doing it. I merely rose to correct some errors, and these errors I rose to correct not because they are important in themselves, but merely because they are indications of the readiness with which the human mind conceives the idea and loves to conceive the idea that the miraculous has happened, that a particular lame man without hands can write with his toes, that a particular man without the capacity of reading still shows great intelligence on some subject.

This tendency is general.

There was another great cavalry leader during our own war. I believe half the people of the United States believe that Bedford Forrest could not read and could not write. He could not write very well, but he read very well, and he was by no means a general all-around ignoramus. He was not a college man, but he had a satisfactory "old field-schoolhouse" training—not a bad one, by the way. The stories that are told about him, with all sorts of nigger language put into his mouth, are not true. I happened to know him myself. Gen. Forrest spoke very good English when he wanted to. People love to believe these things just for the same reason that they love to be told stories about a blind man who can make his way all around, or about a deaf-mute who had been taught to sing or speak. To find a man who can not read in the twentieth century and who is still intelligent and competent for citizenship and competent as a mold of the destinies of the American Republic is just as remarkable as any of these other remarkable things. These things do happen, but they do not happen very often.

Mr. MARTINE of New Jersey. Mr. President, I have spoken twice before to the Senate on this subject, and I should hesitate, I realize, to speak again, but I wish to say we were not all blessed with living in affluence, with a wealthy father, and enabled to have the blessings of the higher education that my distinguished and lovable and genial friend the Senator from Mississippi [Mr. WILLIAMS] had. While he was basking in the universities of Germany some of the rest of us were earning bread and butter. So we are to be pardoned if we do not take exactly the same view he holds.

My friend the Senator just said that he wanted men in this country who were intellectually fit. Great God, our States' prisons are filled with men and women intellectually fit. Every

crook and vagabond could stand your literacy test and your best examination. I do not think that proves anything at all.

I sat here and listened to the eloquent tongue of the junior Senator from Georgia [Mr. HARDWICK]. He talked about the horde as the scum of the earth. We have been receiving immigrants for many years in this country, and we have had so small a percentage of what we could term horde and scum that it is infinitesimal. It comes with ill grace for a Senator in this free, democratic land, that hangs out the latchstring to the down-trodden and oppressed of all the world, to talk about horde and scum. Thank God, my grandfather came from France and my mother, who bore me, came directly from Germany. Mayhap they would not have been able to pass your test, and I defy such an insinuation as contemptible, un-American; yes, worse.

Mr. HARDWICK. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Georgia?

Mr. MARTINE of New Jersey. Certainly. I talk earnestly, but you know I love you all.

Mr. HARDWICK. The Senator, of course, understood that I referred to certain people who deserve that appellation from their sworn evidence. I referred to them generally.

Mr. MARTINE of New Jersey. I accept the Senator's apology.

Mr. HARDWICK. It is no apology at all.

Mr. MARTINE of New Jersey. I know the Senator did not mean to apply it to me at all.

Mr. HARDWICK. Certainly I did not.

Mr. MARTINE of New Jersey. I want to say something about the voting test. The alien has to live here for some time before he can have granted to him the privilege of a vote. So he will have realized and learned something of the blessings that come from this free land and then is better able to exercise the privilege of voting.

But here you would bar a man or woman because of their misfortune that they could not read. As I said a day or two ago, it is unholy in that it does not treat mankind as brother. It is unjust in that you deny mankind equal privileges. I would bar the infirm, I would bar those who are unclean; but with moral minds, clean bodies, I would open the door and let our public-school system assimilate and adjust them.

I heard a list of percentages in the various States given. As I ran down the gamut I found that New Jersey had 26 per cent foreign born, and 14 per cent, I think, of that 26 per cent were illiterate. Yet we are not here asking your favor to put up the bars. New Jersey, glorious and proud in her recent history, proud in her Revolutionary history, and proud in her position to-day, asks no odds or favor of Georgia or of any other Commonwealth.

Mr. HARDWICK. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Georgia?

Mr. MARTINE of New Jersey. Certainly.

Mr. HARDWICK. Does the Senator speak for both Senators from New Jersey?

Mr. MARTINE of New Jersey. I am speaking for myself, and I speak in part for New Jersey. I say that New Jersey has 26 per cent, and yet with this unholy horror in New Jersey we have multiplied in wealth in an appalling degree. It would stagger you Georgians to realize it. In building of public institutions, in mills and workshops, in banks and happy homes and general prosperity we can pass with any Commonwealth in this Union. I have wandered across the plains of Georgia, and I have seen her hills and dales and hollows. That part of the country the God of humanity has blessed beyond parallel. Look at the plains in Georgia, in Mississippi, and in South Carolina, and then look at those in New Jersey and see how richly blessed are the latter. They are what yours might be if the same class of immigrants should settle within your domain as have settled in the Commonwealth of New Jersey. Our dunes, that for years were drifted sand, are occupied by great colonies of Italians and Germans and Jews, who have cultivated the soil until to-day they are dotted with happy homes and are the picture of thrift and of industry.

When the story is told here of Italians coming to this land and earning a few dollars and then departing, I say God speed them. I do not envy, nor does the Senator in his own heart, any poor Italian who has gathered together through dint of perseverance and frugality and honesty a few hundred or mayhap a thousand dollars. I have seen hundreds of them coming to my Commonwealth and to the great city of New York who, through perseverance and accumulation, have gathered together a little fortune, and God knows I do not envy them. I have seen them delve 12 and 15 feet in sewers and in the great sub-

ways and in caissons for the foundations of great bridges that span our rivers. I have seen them taking their lives in their hands, working in a stifling atmosphere where it was almost impossible to exist and in conditions too horrifying to contemplate. They have earned a dollar and a half, mayhap, sometimes \$1.60 a day. The Senator from Vermont [Mr. DILLINGHAM] told us yesterday that they average a wage of \$1.25. I say the man would be un-American and inhuman who would be jealous or envious of these poor fellows who may have carried their little money away that they have gathered together.

This stamp of illiteracy is akin to the old talk of property qualification. They are twin brothers; they go hand in hand. In many States the property qualification formerly existed. I believe it is only very recently that the last one—Rhode Island—abolished the property qualification. Only two or three days ago Louis Windmuller died. Everybody in our part of the country knew of him, and he was known generally throughout the country. He came to this land from Germany. He had but a dollar. It is not said that he was illiterate, but it is probable that he would not have passed the qualifications that are required by the bill. He became the most respected and honored citizen in New York. He gathered together great wealth and died with a fortune of nearly \$700,000. He grew to be quite cultured in matters of public debate and questions relating to the general welfare in the civic community. He was an honored citizen and a blessed and a most sterling monument to his race and to his adopted American citizenship.

I say that this qualification and the property qualification are both in keeping, one with the other. They are of the same kind and breed, of the same fold.

The distinguished Senator from Mississippi [Mr. WILLIAMS] found great delight a day or two ago when I was making some remarks on this subject, as to which I feel keenly. He said it was enfantillage—he called it "sentimentalism." Yes, thank God, I am full of sentimentalism; I am full of sentiment. I would not take it out if I could, and I could not if I would. Sentiment to humanity is what the blossom is to the vine. The Senator, too, is brimful of sentiment when it suits his line of argument; but when it does not, he turns his back on it in disgust and would ridicule it. Oh, yes; you can not take it out of me. My sentiment is love of my country. I love its institutions and I will do all I can to advance its welfare.

I want to vote for an immigration bill, but I want an immigration bill that shall have in its requirements cleanly bodies, moral minds, industrious and holy purposes. Beyond that I care not. I will leave the great public school institutions to assimilate those men and to infuse red blood into the veins of many who, God knows, need it.

Mr. REED. Mr. President, I did not hear all of the remarks of the Senator from Mississippi [Mr. WILLIAMS], but I think that one of the corrections that he made in the interest of historical accuracy was aimed at what he thought I had said. I think the Senator from Mississippi understood me to say that Thomas A. Edison was of foreign birth.

Mr. WILLIAMS. No; I understood the Senator to say, at the suggestion of the Senator from New Jersey, that he was a German.

Mr. MARTINE of New Jersey. I beg the Senator's pardon. I said that very many of his associates were Germans.

Mr. WILLIAMS. Oh.

Mr. REED. This is what I said, and the Record will show it; the Senator from Mississippi simply did not hear correctly.

My attention has just been called by the Senator from New Jersey [Mr. MARTINE] to the fact that many of those men who are now rendering great assistance to Thomas A. Edison in his wonderful inventions are Germans, who came here and secured employment with him.

Mr. WILLIAMS. Frankness compels me to say that I did not hear it that way. It is, of course, as the Senator states it. I remember distinctly the Senator from New Jersey said something to him about Edison being a German, or something of that sort, and I shook my head at the Senator from Missouri to keep him from making the mistake; and I understood him to go ahead and make it, anyway. It now seems that what the Senator from Missouri did say was something with which I have no sort of historical quarrel at all. It was the fault of my right ear, Mr. President, which happens to be my wrong ear. [Laughter.]

Mr. REED. Mr. President, I am very much obliged to the Senator for keeping watch and ward, but even in this instance he did not hear correctly. I trust he will continue to supervise my conduct so that I shall be kept free from mistakes in the future.

Mr. WILLIAMS. Mr. President, I can not undertake that charge. The proposed task is too great for me. [Laughter.] That reminds me a good deal, if I were to accept that charge, of

the prayer that Parson Brownlow delivered in Greeneville, Tenn.—

Mr. REED. If I might interrupt the anecdote, if it is a task that the Senator from Mississippi recognizes as beyond his ability, it is the first time I have ever seen him in that situation. I am glad that my ignorance and incapacity are so great that they have arrested the Senator and caused him to conclude there is something he can not quite correct.

Mr. WILLIAMS. Mr. President, you and the Senate may think that the Senator from Missouri intended that last remark seriously on its own account, but the Senator did not. He merely intended to keep me from telling the anecdote which I was about to tell; that was all. [Laughter.] The Senator is one of the most malicious men, when he does become malicious, that I have ever known; and the most malicious thing in the world that a man can do is to interrupt another man just in the initial proceeding of telling an anecdote.

I was about to say that if I undertook to correct all the errors made by the Senator from Missouri, especially his political errors during some recent times, I might have before me a task similar to that suggested by this story, which Senators may apply for themselves.

It is said that Parson Brownlow, being entertained at one time at the house of old Dr. Sandy Williams, in the neighborhood of Greeneville, Tenn., and being a man "powerful in prayer," was called upon by Dr. Sandy late at night to lead in prayer before the gentlemen took their last nightcap and went to sleep, and Parson Brownlow arose and prayed. He prayed for men of all sorts and conditions; he prayed for the ignorant and the learned; for the wise and the unwise; for the rich and the poor; for the white and the black; and Parson Brownlow, being an old-line Whig, Dr. Sandy Williams being one, and a very distinguished but recently defeated Whig candidate for governor, Meredith P. Gentry, being present, and having recently been defeated by Andrew Johnson for that great office in the State of Tennessee, and having after that time suffered the death of his wife, and in consequence both of his defeat and the death of his wife having gone into a sort of a decline, and the party having been given for the purpose of making him forget his woes, this distinguished man was there, too, and was kneeling by the sofa. As Parson Brownlow's prayer became more and more affecting and more and more pathetic there could be heard audible sobs coming from the sofa, until finally Brownlow, thinking he would go even further, said: "And I pray Thee, O Lord, if in Thy infinite wisdom it be possible, for mercy, too, upon John M. Savage"—who was at that time the chairman of the Democratic executive committee of the State of Tennessee—"and upon Andrew Johnson—even upon them." About that time this distinguished statesman who had been very much affected, even to tears, rose and said: "Parson, stop right there. Do not ask too much. You will exhaust the fount of infinite mercy." [Laughter.]

Mr. THORNTON. Mr. President, I understand that the pending question is the amendment of the Senator from Colorado [Mr. THOMAS], as modified by the amendment of the Senator from Missouri [Mr. STONE]. I should like to ask the Chair if that is the parliamentary situation?

The PRESIDING OFFICER. The Chair will state that the statement made by the Senator from Louisiana is correct.

Mr. THORNTON. Mr. President, while I favor the literacy provision of the immigration bill for reasons which I may very briefly state at a future stage of the discussion on the bill, I also favor the amendment now pending because of my unwillingness to debar from this country any who seek it as an asylum from either religious or political persecution. I have some misgivings that the privilege thus given, if it is given, may to some extent be abused; but I would rather that some did abuse it than to debar all.

I understand that this amendment is principally intended for the benefit of the Jews who live in certain countries in Europe, and I shall vote for the amendment with that understanding. I do not see any reason for the insertion of the word "racial" in the amendment, believing that the words "religious or political persecution" are sufficiently comprehensive to fully cover the case, yet I see no particular objection to the insertion of the word "racial."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado as modified.

Mr. SMITH of South Carolina. Mr. President, I want it distinctly understood in voting on this proposed amendment that the very object of the literacy test will be nullified if the amendment is adopted. At another time I have explained fully why the committee saw fit to repeat what previous committees

have done by inserting the word "solely" before the words "religious persecution," and I hope it will be thoroughly understood that to introduce the words "political and racial" will practically nullify the object sought to be attained. In my judgment, to strike out the word "solely" and insert the words "political and racial" will be equivalent to inviting the whole world in, and will nullify the literacy test. With that explanation, I am ready to go to a vote on the amendment.

Mr. CULBERSON. Question!

Mr. REED. Mr. President I ask that the amendment as modified be stated.

The PRESIDING OFFICER. The Secretary will state the amendment as modified.

The SECRETARY. In section 3, page 9, beginning in line 6, it is proposed to strike out:

That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious persecution.

And in lieu thereof to insert:

That the following classes of persons, when otherwise qualified for admission under the laws of the United States, shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid religious, political, or racial persecution, whether such persecution be evidenced by overt acts or by discriminatory laws or regulations.

Mr. CLAPP. Mr. President, before the vote is taken I wish to say just a word or two. In the first place, the matter to which I shall direct the attention of the Senate may be considered somewhat technical, although I think it should be corrected. The amendment as it reads now provides that the immigrants shall prove that they are seeking admission to the United States to avoid religious persecution, and so forth. That is going to force the immigrant into statements oftentimes that may not be strictly correct. He is coming from the country of which he was last a resident because of religious or political persecution. He could go to Canada, to England, to France, to Germany, or to other countries so far as escaping persecution is concerned. He leaves to escape that, and comes here, of course, because of all the asylums to which he may flee he prefers this country. It seems to me that that language should be corrected.

While I am on my feet I want to say a word in regard to this amendment. I shall not take the time of the Senate to discuss the question of literacy as a test for admission to this country. It is a test according to the conditions under which a man has grown up. It may well be said that a man who grows to manhood in this country, with all the opportunities for education it affords, and is illiterate, lacks that spirit, that sentiment, and that temperament that will bring him best in harmony with the spirit of our institutions; but to say of the man who has had no opportunity to acquire an education that the lack of that education is evidence of his wanting in those things which would bring him in harmony with the spirit of our institutions is not accurate or fair.

I am not going to say anything concerning those immigrants who have come to this country. We have grown great under the system that we have pursued. Nor am I going to take the time of the Senate to discuss the people to whom this particular amendment is held out as a hope. Their history spells tragedy. More than that, we should remember that, either under a Divine purpose or under laws established, while their history spells tragedy to themselves it has spelled tragedy to their oppressors, because they have lived to see the downfall and the passing away of almost every race which ever oppressed them.

They come to this country and they make good citizens. They seldom appear at the almshouse and seldom appear in a court of justice in response to a criminal prosecution. They come from countries where they have not had an opportunity to secure an education. Now it is urged that we must change our policy and no longer admit that our country shall be an asylum; that we shall regulate our immigration laws without any regard to the principle of asylum; but, Mr. President, this bill in the very form it passed the House and in the form in which it is reported to the Senate by the committee concedes the principle of asylum on our shores to the oppressed. If this exception to the literacy clause means anything, if it is any more than an empty hope held out to oppressed people, it means that in their case, where they do flee from oppression, we recognize the asylum principle regardless of the literacy test. So we have the verdict of the House and we have the verdict of the Senate committee that we should recognize the principle of asylum within certain degrees.

The Senator from Mississippi, who has spoken so strongly against the thought of asylum, has offered an amendment here that carries the spirit of asylum in its very terms, because he proposes to make an exception to this rule further to those people who, because of the military occupation of their country by a foreign power, no longer live under the Government under which they formerly lived. Without regard to literacy they are to be admitted here. There is the admission that we still retain, and that, born of an instinct of justice and humanity, we ought to retain, the spirit and sentiment of asylum in our immigration laws.

I am in favor of the amendment, because ever since it has been my privilege to sit in this Chamber I have believed in one thing, and have been consistent in my belief and in my practice. I believe that when we pass legislation we should make legislation plain, so that it can be understood, so that it can be interpreted, and so that there will be the least possible difference of opinion as to its meaning and its interpretation. If it is the sentiment of the House, if it is the sentiment of the Senate committee, that we should recognize the principle of asylum in our immigration laws to the extent of admitting those who flee from religious persecution, we should recognize that in the policy of foreign Governments it is almost impossible to distinguish between that which comes from religious or political or racial persecution. We can not say of the unfortunate Jews in foreign countries whether it is religious, whether it is political, or whether it is racial; but we pretend here to hold out to these oppressed people the hope that in their oppression is to be found an exception to our literacy test and a recognition that somewhere, under certain limitations, we recognize the principle of asylum in our immigration laws.

That being true, Mr. President, we should hold out to them no false hopes. We should pass no law here that will simply lead to confusion in interpretation and in distinguishing what is meant and intended by the law. Then let us be plain and fair. Let us act aboveboard in this matter. We have back of us at this moment the action of the House and the Senate committee in recognizing that we should somewhere permit the asylum principle in our immigration laws. It is plain from the language of the bill that this hope is held out to a particular race. Then let us make it plain. Let us be fair and candid, and leave no ground for discussion or difference of opinion as to what the provision means. Recognizing that the oppression of the Jewish people in these foreign countries is born of an intermingling of religious, racial, and political motives and purposes, let us include all three in the exception in order that we may not hold out to them simply an empty hope.

Mr. WORKS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from California?

Mr. CLAPP. With pleasure.

Mr. WORKS. I suggest to the Senator from Minnesota that the difficulty about this amendment is that it is not dependent upon the fact that these people are persecuted, but upon a mere statement made by them to that effect; and it will be a very easy matter for these illiterate people from all sections of the world to come in upon a mere statement of that kind when it is perfectly well known that there is no such persecution in the country from which they come. I think it should depend upon the existence of the fact that the Senator is talking about and not upon a mere statement by the party who is seeking to come in.

Mr. CLAPP. Why, Mr. President, that goes to the mechanism of this bill. The bill provides that they shall prove, to the satisfaction of the proper immigration officers, the existence of these facts. If the bill does not make abundant provision for that proof, that is another question and a separate question for discussion and dealing. That goes, as I say, to the mechanism. I am discussing now the exception itself. As these three conditions—religious, political, and racial—are so interwoven, I believe we should make this language plain and put it beyond controversy, and include the three terms in the exception, so that when the Jew fleeing from oppression abroad comes to these shores he will not be confronted with any effort at technical distinction between religious, racial, and political oppression.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado.

Mr. SMITH of South Carolina. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from South Carolina suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Overman	Smoot
Brady	Hardwick	Page	Swanson
Burton	Hughes	Reed	Thomas
Clapp	Kern	Sheppard	Thornton
Culberson	Lee, Md.	Simmons	White
Cummins	Lewis	Smith, Ariz.	Williams
Gallinger	Lodge	Smith, Ga.	Works
Gore	Martine, N. J.	Smith, S. C.	

Mr. THORNTON. I have been requested to announce the necessary absence of the junior Senator from New York [Mr. O'GORMAN].

Mr. MARTINE of New Jersey. I have been requested to announce that the senior Senator from West Virginia [Mr. CHILTON] is absent on public business, and that he is paired with the junior Senator from New Mexico [Mr. FALL].

Mr. BRADY. I desire to state that the junior Senator from Mississippi [Mr. VARDAMAN] is absent on official duty.

The PRESIDING OFFICER. Thirty-one Senators have answered to their names. A quorum is not present. The Secretary will call the names of absentees.

The Secretary proceeded to call the names of absent Senators.

RECESS.

Mr. KERN. Mr. President, I ask unanimous consent that the Senate take a recess until to-morrow morning at 11 o'clock.

The PRESIDING OFFICER. The Senator from Indiana asks unanimous consent that the Senate take a recess until 11 o'clock to-morrow. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 4 o'clock and 48 minutes p. m., Wednesday, December 30, 1914) the Senate took a recess until to-morrow, Thursday, December 31, 1914, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, December 30, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We lift up our hearts in gratitude to Thee, Almighty God, our heavenly Father, for our Republic and all its sacred institutions, for its national integrity and unity, and we most fervently pray for all who are called to minister to its genius that they may be inspired by the highest, purest, and most patriotic motives, that it may continue to grow in its intellectual, moral, and spiritual life to the honor and glory of Thy holy name. Amen.

The Journal of the proceedings of yesterday was read and approved.

CHANGE OF REFERENCE.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to have the Committee on Interstate and Foreign Commerce discharged from the consideration of the following bills, and that they be referred to the Committee on the Merchant Marine and Fisheries. My opinion is that they should go to the Committee on the Merchant Marine and Fisheries:

Bill S. 6782, to provide for the appointment of certain assistant inspectors, Steamboat-Inspection Service, at ports where they are actually performing duty, but to which they are at present detailed, in my opinion, belongs to the Committee on the Merchant Marine and Fisheries, as it relates to the navigation laws, and all bills of that character, since I have been a member of the committee, have been referred to the Committee on the Merchant Marine and Fisheries.

S. 6781, to provide for the appointment of 11 supervising inspectors, Steamboat-Inspection Service, in lieu of 10, is an amendment to the Steamboat-Inspection Service law.

H. R. 20281, to provide for the appointment of certain assistant inspectors, Steamboat-Inspection Service, at ports where they are actually performing duty, but to which they are at present detailed. That is a companion bill to the bill S. 6782.

Also the bill H. R. 20282, to provide for the appointment of 11 supervising inspectors, Steamboat-Inspection Service, in lieu of 10.

I ask, Mr. Speaker, unanimous consent that these bills be referred to the Committee on the Merchant Marine and Fisheries.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the Committee on Interstate and Foreign Commerce be discharged and that these bills be referred to the Committee on the Merchant Marine and Fisheries. Is there objection?

Mr. ADAMSON. Reserving the right to object, Mr. Speaker, I do not wish to be greedy and ask jurisdiction which does not belong to us, and neither do I wish to see any further progress made in this gradual diminution of the jurisdiction of the Committee on Interstate and Foreign Commerce. If I am wrong in insisting that the Steamboat-Inspection Service bills have always been under the jurisdiction of the Interstate and Foreign Commerce Committee, I will ask the gentleman from Illinois, the former chairman of the committee, if that is not the fact of the case?

Mr. MANN. Well, Mr. Speaker, nearly all of these bills relating to the Steamboat-Inspection Service and the dimensions of vessels used to go to the Committee on Interstate and Foreign Commerce. Many of them have recently been referred to the Committee on the Merchant Marine and Fisheries, which I think now it is understood has jurisdiction. As to these particular bills, I do not know.

Mr. ALEXANDER. Prior to the establishment of the Committee on the Merchant Marine and Fisheries all bills on this subject were considered by the Committee on Interstate and Foreign Commerce.

Mr. MANN. Yes; but long after the Committee on the Merchant Marine and Fisheries was created bills requiring certain dimensions in vessels and bills for steamboat inspection were referred to the Committee on Interstate and Foreign Commerce, at the time when Gen. Grosvenor was chairman of the Committee on the Merchant Marine and Fisheries. Some were designedly afterwards sent to the Committee on the Merchant Marine and Fisheries because the Committee on Interstate and Foreign Commerce did not desire to retain jurisdiction of those matters.

Mr. ADAMSON. Mr. Speaker, so far as I am individually concerned, I think the line of demarcation between the jurisdiction of committees has been left rather shadowy on purpose, so that the Speaker might give such direction as to equalize the work. I realize that the Committee on Interstate and Foreign Commerce has a great deal to do and that some other committees have less to do, and individually I have no objection to their taking some of the work, and yet I do not wish to advocate a diminution of the importance and dignity of that committee. I am not going to ask that it be given to the Committee on the Merchant Marine and Fisheries, because I do not want to get rid of the work, but I am not going to object to the change, in view of what the gentleman from Illinois has just said.

The SPEAKER. The Chair will say that there are three committees in this House that it would puzzle King Solomon himself, if he should return, to say to which committee sometimes a bill ought to be sent—the Judiciary Committee with reference to antitrust bills, the Committee on Interstate and Foreign Commerce, and the Committee on the Merchant Marine and Fisheries. The fact is they interfere with each other sometimes in the lines of jurisdiction. If the Chair has ever discriminated in favor of the Committee on the Merchant Marine and Fisheries on some shadowy question as against the Committee on Interstate and Foreign Commerce, it was simply because the Committee on Interstate and Foreign Commerce has more work to do than any other committee in this House, and does it.

Mr. ADAMSON. That is the way I understand it; and I wish to state for the benefit of the chairman of the Committee on the Merchant Marine and Fisheries, Mr. ALEXANDER, for whom I have the highest appreciation, that I do not think we have shed as much business that rightfully belongs to us to that committee as we have to some other committees.

Mr. ALEXANDER. Mr. Speaker, I wish to say that this is not a conflict between the chairman of the Committee on Interstate and Foreign Commerce and myself as to jurisdiction. The Senate bills were referred to the Committee on Commerce in the Senate, which has jurisdiction of the same subject matter as has the Committee on the Merchant Marine and Fisheries, and since I have been a member of the committee they have gone to the Committee on the Merchant Marine and Fisheries.

The SPEAKER. There is no conflict between the chairmen of these two committees. There is a conflict in the principle upon which these bills are referred. Without objection, the change of reference will be made.

There was no objection.

AGRICULTURAL APPROPRIATION BILL.

By direction of the Committee on Agriculture, Mr. LEVER reported the bill (H. R. 20415) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1916, which was read a first and second time and, with the ac-

companying report (No. 1255), referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Illinois reserves all points of order on the bill.

QUESTION OF PERSONAL PRIVILEGE.

Mr. TAGGART rose.

The SPEAKER. For what purpose does the gentleman from Kansas rise?

Mr. TAGGART. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. TAGGART. Mr. Speaker, I rise in reply to an attack that has been made upon me in a publication known as Harper's Weekly, a copy of which I send to the Clerk's desk and ask that the article referred to be read.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

[From Harper's Weekly for December 26, 1914.]

POLITICS AND JUSTICE.

Kansas is always interesting. It is so lively, individual, and American. Now, be it understood that the editor of the Fort Scott Tribune, George W. Marble by name, is a credit to journalism. He is straight, conscientious, brave. Incidentally he was effective for Mr. Wilson at a time when friends were needed. He was one of the original Wilson men.

JOSEPH TAGGART, Member of Congress, is a Democrat from the second Kansas district. A few months ago Marble printed the charge that TAGGART, who rather makes us tired, was selling post offices on a commission basis in his district. During the recent campaign post-office inspectors were sent out to investigate the charges. TAGGART was whitewashed. As to that side of it we say nothing. The evidence is not before us, and our opinion is therefore only a surmise based on the characters of the men involved. But the inspectors did more. They attacked Marble's character, blackmail is being charged in print against him, and the report is presumably on file in the Post Office Department. If so, it should be expunged. It is displeasing to see the reputation of an honest editor smirched for the convenience of a far-from-desirable Congressman.

Mr. TAGGART. Mr. Speaker, the writer of this article is evidently suffering prematurely from a spring condition. He could be readily relieved with rhubarb and sassafras tea. If his mind is in the condition where it acts without evidence and he arrives at conclusions without being able to give any reason why, he is singularly fortunate that he has never lived in the State of Kansas. If a man were in that condition in the State of Kansas, with his mind reaching conclusions without any kind of evidence before him, he would be promptly put under guardianship in that distinctly American State, and possibly placed in one of the two very excellent institutions provided there for the treatment of that kind of malady. It is also fortunate for him that he never let his erring footsteps stray as far as the great State of Texas, the home of the Postmaster General. If he should find himself there, he would at once come to the conclusion that he would better be circumspect before he became sarcastic. If he had gone down to the State of Virginia, the birthplace of our great President and of six other great Presidents, and had made a practice of attacking public men without any evidence before him, I think I can safely say that he would not keep at it long until his career would terminate in a very interesting coroner's inquest.

As far as the Kansas editor is concerned, there is only a word to say about him. The article says that he was an original Wilson man. I believe I heard it said that his puny efforts were put forth in behalf of the distinguished governor of New Jersey. The result of his efforts was that a unanimous delegation for the distinguished Speaker of this House was sent to the State convention from his county with instructions to continue to vote for the Speaker until the State convention agreed to send delegates to Baltimore in his behalf. This is what he did for Mr. Wilson "at a time when friends were needed." It is unnecessary to mention him any further than to say that I do not think he is now in a position to attack anybody. He used to be a clever and effective liar before he lost what little reputation for truth and veracity he deceived the people into thinking he had; but now I do not believe that, outside of fly time, when he could cooperate with millions of others, he could cause annoyance to any public man.

This article has the merit of being one of the queerest screeds ever published in a well-known magazine. The man who wrote it did not even know how to spell my obscure and undistinguished name. The man who wrote it did not even give correctly the name of the obscure paper published 1,500 miles away from his office. I never had what certainly might have been the pleasure of meeting the editor of this magazine. I know that he never did me the honor of even looking at me;

and yet he has decided a controversy between me and another man, both of whom live 1,500 miles away from New York. The Post Office Department decided the matter with the evidence before it; the New York editor decided it without the evidence before him.

Let me trespass on your patience long enough to say that I led the ticket in the second district of Kansas—the State and National ticket both—by some thousands of votes; and if I, whom he says is far from desirable, am the favorite in the most prosperous district in the United States, what is wrong with the excellent gentlemen who were on the same ticket with me?

I also had the happiness of leading the ticket in 1912 by some 4,000 votes, and I say this in defense of those excellent people who were presented on the State and National tickets in that district. This New York editor is not decent enough to allow a constituency of 100,000 men and women voters to decide whether I am desirable or undesirable. He has decided the question in New York City.

This is the Christmas number of the magazine, and I want to call the attention of the House to the leading caricature that is in the middle of it—an insult to the 30,000,000 of people of German blood in the United States, the brave people who live in nearly every State in this Union, who control every doubtful State in national elections, and who own more than half of the property in the Northern States. And yet the Christmas greeting to them is a caricature of a German soldier breaking in the door of a humble cottage with the butt of his rifle with intent to commit murder. And this is labeled with an ancient and holy name, "Kris Kringle," a little German child's way of saying in German the name of the Christ child. I want the people of that heroic blood who may take the trouble to read my remarks to go to the public library in whatever town they reside and call for this magazine and look at the blasphemous and horrible Christmas greeting that it has offered to one-third of the American people. I want to say that if there was a crayon artist among the Members of this House, and he would bring in materials here and proceed to caricature any brave people or any soldier who is fighting for his country in the snows of Europe at this time, and hold him and his people, and the tenderest sentiments of their hearts, up to ridicule and contempt, I would vote to expel him from this House of Representatives. This is a neutral Nation, and this is a neutral House of Representatives. We in the House are requested by the highest authority to keep our mouths shut about this war, and yet the editor of one of these publications can insult the most industrious and prosperous part of our people, and not only insult them, but convince them that he and hundreds of others, on account of their manifest partiality in favor of one empire as against another, are in the pay of one of the belligerents. I hope this partiality will not continue until we wake up some morning and find this Nation aflame with anger.

Mr. Speaker, I have little more to say. I shall conclude by saying this much, that this Harper's Weekly and other advertising agencies like it are delivered to the American people as second-class mail matter at a loss to the Government of \$40,000,000 and more annually, and that it is violating the spirit of American neutrality at the public expense. It would be better for any public man to have a typical case of smallpox as an inducement to popularity than the support of any such publication as this. [Applause.]

POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19906, the Post Office appropriation bill.

Mr. SMITH of Minnesota. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Minnesota rise?

Mr. SMITH of Minnesota. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Minnesota makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and eleven Members are present; not a quorum.

Mr. MOON. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Aiken	Ansberry	Bailey	Bartlett
Alney	Anthony	Baltz	Barton
Allen	Austin	Barchfeld	Beall, Tex.
Anderson	Avis	Barnhart	Borchers

Britten	Fairchild	Kelly, Pa.	Phelan
Brockson	Falcon	Kennedy, Conn.	Platt
Brodbeck	Falconer	Kennedy, Iowa	Porter
Brown, W. Va.	Farr	Kinkaid, N. J.	Powers
Bruckner	Fess	Kitchin	Price
Brumbaugh	Fields	Knowland, J. R.	Ragsdale
Bryan	Finley	Kreider	Reed
Buchanan, Ill.	Floyd, Ark.	Langham	Riordan
Burke, Pa.	Fordney	Langley	Roberts, Mass.
Burke, Wis.	French	Lazarro	Roberts, Nev.
Burnett	Gallagher	Lee, Ga.	Rupley
Butler	Gallivan	Lee, Pa.	Sabath
Calder	Gard	L'Engle	Saunders
Callaway	Gardner	Levy	Scully
Cantor	Garrett, Tenn.	Lewis, Pa.	Seldomridge
Carew	George	Lieb	Sells
Carr	Gerry	Lindquist	Sherley
Cary	Gillett	Lobeck	Sherwood
Chandler, N. Y.	Godwin, N. C.	Loft	Shreve
Clancy	Goeke	Logue	Sims
Clark, Fla.	Goldfogle	McAndrews	Sinnott
Claypool	Good	McClellan	Sisson
Cline	Gordon	McGuire, Okla.	Slayden
Connolly, Iowa	Gorman	McKenzie	Smith, J. M. C.
Conry	Graham, Ill.	Mahan	Sparkman
Copley	Greene, Mass.	Maher	Stafford
Crosser	Gregg	Mapes	Stanley
Curry	Griffin	Martin	Stephens, Miss.
Dale	Guernsey	Morin	Stevens, Minn.
Davenport	Hamill	Moss, W. Va.	Stringer
Davis	Hamilton, N. Y.	Mott	Sutherland
Decker	Hamlin	Mulkey	Talbott, Md.
Deltrick	Hammond	Murdock	Talcott, N. Y.
Dershem	Harrison	Neeley, Kans.	Taylor, N. Y.
Difenderfer	Hart	Neely, W. Va.	Ten Eyck
Dixon	Haugen	Nolan, J. I.	Townsend
Donohoe	Hedlin	Norton	Underhill
Dooling	Helvering	O'Brien	Vare
Doughton	Hill	Oglesby	Walker
Driscoll	Hinebaugh	O'Hair	Wallin
Dunn	Hobson	O'Shaunessy	Walsh
Eagan	Houston	Palge, Mass.	Walters
Eagle	Howell	Palmer	Webb
Edmonds	Hughes, Ga.	Parker, N. Y.	White
Edwards	Hughes, W. Va.	Patten, N. Y.	Willis
Elder	Hulings	Patton, Pa.	Wilson, Fla.
Esch	Jones	Peters	Wilson, N. Y.
Estopinal	Keister	Peterson	Woodruff

The SPEAKER. On this roll call 221 Members, a quorum, answered to their names.

Mr. UNDERWOOD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors.

LEAVE OF ABSENCE.

By unanimous consent, Mr. ROBERTS of Nevada was granted leave of absence, indefinitely, on account of dangerous illness of his father.

POST OFFICE APPROPRIATION BILL.

The SPEAKER. The gentleman from Tennessee [Mr. MOON] moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19906, the Post Office appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19906, with Mr. FERRIS in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19906, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 19906) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes.

The CHAIRMAN. If the committee will indulge the Chair for a moment. On yesterday the gentleman from Iowa [Mr. TOWNER] offered, on page 10, line 4, the following amendment:

Provided, That in the appointment of superintendents of finance, superintendents of mails, superintendents of delivery, auditors, cashiers, or their assistants, such appointments shall be made, so far as may be, from assistant postmasters now serving, and in the offices where now serving, when otherwise qualified.

A point of order was made against the amendment by the gentleman from Tennessee [Mr. MOON]. The Chair sustained the point of order against that amendment. A moment later a parliamentary inquiry was submitted by the gentleman from Minnesota [Mr. STEENERSON] to know if the Chair was going to hold that all amendments to these specific items of legislation contained in the special rule would be held out of order. Of course that question was not at that time squarely before the Chair for decision, but the Chair, attempting to answer the gentleman in order to expedite things as he then thought, in substance said that it was the Chair's opinion that the special rule should be strictly construed and that the rule did not go further than it on its face purported to go, and the Chair thought at that time he was applying the correct course of rea-

soning to the case. He thinks at this time he applied the correct course of reasoning, but upon consulting some of the parliamentarians of the House who know more about parliamentary law than the Chair does, the Chair in that instance was in error and he would like to have the Record show a correction to that extent. The Chair does not desire to make a change of ruling in reference to the point of order made by the gentleman from Tennessee [Mr. Moon] to the amendment of the gentleman from Iowa, but he does desire to add to the ruling then made that he thinks the amendment offered by the gentleman from Iowa [Mr. Towner] is not germane to the proposition, inasmuch as the Chair thinks it purports to create a kind of an eligible list by a limitation in the method of making these appointments which is not prescribed either by the special rule or would be in order under the general rules of the House; and that will be the ruling of the Chair this morning.

Mr. STEENERSON. The Chair yesterday ruled that it was out of order because it was new legislation, but now the Chair retracts that part, placing it on the ground that it is not germane.

The CHAIRMAN. The Chair has just stated what the ruling was. Unless there is some motion pending the Clerk will read.

The Clerk read as follows:

Stenographers, clerks in charge, and clerks, 18,500, at not exceeding \$1,200 each.

Mr. STEENERSON. Mr. Chairman, a point of order. There was an appeal from the decision of the Chair pending.

The CHAIRMAN. There was. Does the gentleman care to have the appeal put at this time?

Mr. STEENERSON. I presume that is the order of business.

The CHAIRMAN. The gentleman is recognized to move to appeal from the decision of the Chair if it is desired.

Mr. MANN. The appeal is already pending and must be disposed of.

The CHAIRMAN. I thought it fair to the Chair if the gentleman wants to move the appeal in face of the amended ruling.

Mr. STEENERSON. I desire to say, in face of the amended ruling, that I think it is a serious question as to whether the Chair is correct, but it has considerably improved the situation so far as the Chair is concerned. A precedent cited in the Book of Rules, volume 4 of Hinds' Precedents, paragraph 3823, page 553, seems to be almost parallel to the case of the gentleman from Iowa. There the appropriation bill provided for a reorganization of the employees of the Library of Congress, and the gentleman from Massachusetts [Mr. Gillett] offered as an amendment to that reorganization provision the following:

All the above appointments, except the Librarian and two assistants, are to be made from lists of eligibles to be submitted by the Civil Service Commission, under their rules, who are hereby empowered to hold examinations for all of the above positions.

Mr. William A. Stone, of Pennsylvania, made the point of order that the amendment changed existing law.

After debate, the Chairman ruled: This bill when reported to the House contained, in the paragraph relating to the Library of Congress, that which is manifestly on its face new legislation. This would have been subject to a point of order under the provisions of Rule XXI, section 2. No such point of order was made, and the bill therefore was sent by the House to the committee of the Whole for consideration just as it was reported and in its entirety. Under these circumstances, as has been heretofore several times ruled, no point of order could be made in the committee against the paragraph on the ground that it contained new legislation. The committee, in other words, could not refuse to consider what the House had sent to it for consideration. But the right of consideration involves also the right of amendment; that is to say, the committee has the right to perfect as it may see fit the matter submitted to it. For these reasons the point of order is overruled.

The amendment of the gentleman from Iowa [Mr. Towner], which is as follows—

Page 10, line 4, insert the following:

"Provided, That in the appointment of superintendents of finance, superintendents of mails, superintendents of delivery, auditors, cashiers, or their assistants, such appointments shall be made, so far as may be, from assistant postmasters now serving, and in the offices where now serving, when otherwise qualified."

is analogous to the amendment referred to at that time, offered by the gentleman from Massachusetts, when it was held in order, and I believe that the ruling of the Chair as amended is not justified by the facts. I am not particular about this, but it seems to me that the committee ought to have a chance to go on record as to whether or not they want these assistant postmasters to have the preference in the filling of these new places created by these various paragraphs to which the amendment of the gentleman from Iowa applies, and for that reason I think we ought to have a vote.

The CHAIRMAN. The gentleman from Minnesota [Mr. Steener] appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the decision of the committee?

Mr. CULLOP. Mr. Chairman, I make the point of order that the appeal comes too late. The Clerk had begun to read the next section, and had read a portion of the bill when the appeal was taken from the decision of the Chair.

The CHAIRMAN. The Chair thinks we should not adopt that course. The appeal was taken last night.

Mr. MANN. The appeal was taken last night in the absence of my friend from Indiana [Mr. Cullop].

Mr. CULLOP. The gentleman from Indiana was here last night, and is well aware of what took place then. He was then, as usual, present, attending to his duties.

The CHAIRMAN. The Chair has no disposition to take advantage of a technicality. The gentleman from Minnesota [Mr. Steener] appeals from the decision of the Chair, and the question is, Shall the decision of the Chair stand as the judgment of the committee?

The question was taken, and the decision of the Chair was sustained.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

At each post office where the receipts are \$40,000 but less than \$60,000: Superintendent of finance, \$1,300; superintendent of mails, \$1,300.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. Shall we treat these as one paragraph, or wait until the Clerk is through reading and take up each as a separate paragraph?

The CHAIRMAN. The Chair held yesterday that each one was a separate paragraph, and each one could have an amendment offered to it.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. What is the salary of the superintendent of finance and the superintendent of mail under the present law where the receipts are \$40,000 but less than \$60,000?

Mr. MADDEN. Thirteen hundred dollars.

Mr. WINGO. There is no change, then?

Mr. MADDEN. No.

Mr. WINGO. I will say to the chairman of the committee that the gentleman from Illinois [Mr. Madden] advises there is no change.

Mr. MADDEN. No change.

Mr. WINGO. Is that true with reference to all of these?

Mr. MADDEN. Practically true.

Mr. WINGO. Is there any change in the next paragraph, "Offices of \$60,000 but less than \$100,000 and \$100,000 but less than \$150,000"? Is there any change in those two?

Mr. MADDEN. Practically no changes.

Mr. MOON. If there are any changes, they are in the \$3,600 and \$3,800, and then we go back to the \$3,200 and \$3,400, and so forth.

Mr. WINGO. I was under the impression that the salary of the superintendent of mails in the office of \$100,000 and over was \$1,700 or \$1,800 now. I was not sure of that, and if that be true, then this will be a reduction here of \$200. The chairman thinks there is no reduction in those salaries.

Mr. MOON. No.

Mr. MADDEN. I will say to the gentleman from Arkansas, there is no reduction at all. If there is anything at all, it is an increase.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

At each post office where the receipts are \$20,000,000 or over: Superintendent of finance, \$3,800; cashiers, \$2,800; superintendent of mails, \$3,800; assistant superintendents of mails, \$2,400, \$2,600, and \$2,800; superintendent of delivery, \$3,800; assistant superintendents of delivery, \$2,400, \$2,600, and \$2,800; stenographers, \$900 to \$1,200; bookkeeper, \$2,400; auditor, \$3,000: And provided further, That there may also be employed at first-class post offices special clerks, foremen, and stenographers, at a salary of \$1,300 or more per annum, the total number at any post office not to exceed 1 at \$1,300 for each \$100,000 receipts; 1 at \$1,400 for each \$200,000 receipts; 1 at \$1,500 for each \$400,000 receipts; 1 at \$1,600 for each \$800,000 receipts; 1 at \$1,700 for each \$1,500,000 receipts; 1 at \$1,800 for each \$3,000,000 receipts; 1 at \$1,900 for each \$6,000,000 receipts; and 1 at \$2,000 for each \$12,000,000 receipts: And provided further, That on and after July 1, 1915, the salary of station superintendents shall be based on the postal receipts and number of employees at their respective stations on the following basis:

Mr. REILLY of Connecticut. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Connecticut offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 14, line 3, strike out all after the word "annum" down to and including the word "receipts," on line 10, and insert a colon.

Mr. REILLY of Connecticut. This, Mr. Chairman, has the approval of the committee, and simply leaves this condition: Under the present regulations special clerks are promoted on the basis of \$80,000 receipts—one special clerk for each \$80,000

in receipts. It is now proposed to make it permanent law and the basis of promotion \$100,000 in receipts. It is the opinion of the committee that the law should remain as it is, leaving it optional with the department to make the promotions on the present basis. Therefore this amendment is offered.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. GOULDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York [Mr. GOULDEN] moves to strike out the last word.

Mr. GOULDEN. I want to ask the gentleman from Connecticut [Mr. REILLY], who has just taken his seat, whether the only change made is the reduction of \$100,000 to \$80,000?

Mr. REILLY of Connecticut. Yes.

Mr. GOULDEN. While I am on the floor I want to ask the chairman of the committee a question. On page 13, from line 19 down to the proviso on line 25, are there any changes there in the salaries of these respectively named officials?

Mr. MOON. I think not. They are all carried through in the same way.

Mr. GOULDEN. The only change is that the superintendent of finance and the superintendent of mails are placed at \$3,800; and if the assistant postmaster becomes one of those officers he loses \$200?

Mr. MOON. Yes.

Mr. GOULDEN. That I understand. Are there any other changes, reductions, or advances in the different items?

Mr. MOON. No. If the gentleman wants to compare the old law with the new—

Mr. GOULDEN. No. I simply want to know if there are any reductions in the salaries in the various officials named in the paragraph. If so, I shall oppose the adoption of the paragraph.

Mr. MOON. None except those mentioned.

Mr. GOULDEN. That is what I wanted to ascertain before permitting it to pass.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

When the employees (clerks and carriers, city and rural) at a carrier station are three or less, the station shall have a credit of one point, and for each multiple of three employees a credit of one point.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] moves to strike out the last word.

Mr. MANN. I assume from the reading that these two paragraphs giving credit of certain points are cumulative?

Mr. MADDEN. Yes; I will explain that if the chairman of the committee will allow me. Stations having a \$1,300 man in charge would be based on a credit of six points, and a station having \$5,000 receipts or less, with six employees, or \$10,000 receipts and three employees, would be entitled to five and six points.

Mr. MANN. The points under receipts and the points under number of employees are cumulative?

Mr. MADDEN. Yes. I will explain the whole thing.

Mr. MANN. I see.

Mr. MADDEN. I would like to explain it for the benefit of the rest of the committee. Stations with credits of 5 to 6 points would be entitled to a superintendent at \$1,300 a year, and in stations having \$5,000 receipts or less and 6 employees, or \$10,000 receipts and 3 employees, would be within the class of 5 to 6 points.

Stations having \$15,000 receipts and 6 employees, or \$10,000 receipts and 9 employees, would be within the class of 7 to 9 points, and the superintendent would get \$1,400 a year.

Stations with \$25,000 receipts and 9 employees, or \$30,000 receipts and 6 employees, would be within the 10 to 13 points, and the superintendent would get \$1,500 a year.

Stations receiving \$45,000 receipts and 9 employees, or \$40,000 receipts and 12 employees, or \$50,000 receipts and 6 employees, would come within the points 14 to 18, and would be entitled to a superintendent at \$1,600 a year.

Within points 19 to 23, the \$1,700 class, the receipts would have to be \$70,000 and 9 employees, or \$75,000 receipts and 6 employees, or \$65,000 receipts and 12 employees, in order to make the position worth \$1,700 a year.

Stations with receipts of \$100,000 and 6 employees, or \$95,000 receipts and 9 employees, or \$90,000 receipts and 12 employees, or \$85,000 receipts and 15 employees, would be within the points 24 to 32, and would be entitled to \$1,800 a year for the superintendent.

Stations with receipts of \$150,000 and 6 employees, or with receipts of \$145,000 and 9 employees, or receipts of \$140,000 and

12 employees, or receipts of \$135,000 and 15 employees, would be within points 33 to 44, and the salary of the superintendent would be \$1,900.

Stations with receipts of \$200,000 and 6 employees, or \$195,000 and 9 employees, or \$190,000 and 12 employees, or \$185,000 and 15 employees, would come within the class 45 to 64 points, and the salary of the superintendent would amount to \$2,000.

Stations having receipts of \$300,000 and 6 employees, or \$295,000 and 9 employees, or \$290,000 and 12 employees, or \$285,000 and 15 employees, would come within the 65 to 100 points, and the salary would be \$2,100.

Stations with receipts of \$475,000 and 12 employees, or \$470,000 and 15 employees, or \$465,000 and 18 employees, or \$460,000 and 21 employees, would come within 101 to 135 points, and the salary of the superintendent would be \$2,200 under this schedule.

Stations with receipts of \$660,000 and 6 employees, or \$655,000 and 9 employees, or \$650,000 and 12 employees, or \$645,000 and 15 employees, would come within 136 to 200 points, and the salary would be \$2,300, and so on.

At stations where the receipts are light and the number of men is large the salary would be based on one point for every three employees, as they are in all these cases. So, for example, if there were 200 men employed at the station, as there are in many of the stations in Chicago and New York, and the receipts amounted to only \$5,000, the superintendent of such a station would be entitled to 66 points for the 200 men, 1 point for every 3 men and 5 for the receipts, making him 71 points, and that would make the man who was acting as superintendent of a station employing 200 men where the receipts were only \$5,000 come within the class where the superintendent's compensation would be \$2,100 a year.

I think that explanation covers the whole thing, Mr. Chairman.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

At stations having a total credit of 5 points or more the salary of the superintendent shall be as follows: Five and 6 points, superintendent, \$1,300; 7 to 9 points, superintendent, \$1,400; 10 to 13 points, superintendent, \$1,500; 14 to 18 points, superintendent, \$1,600; 19 to 23 points, superintendent, \$1,700; 24 to 32 points, superintendent, \$1,800; 33 to 44 points, superintendent, \$1,900; 45 to 64 points, superintendent, \$2,000; 65 to 100 points, superintendent, \$2,100; 101 to 135 points, superintendent, \$2,200; 136 to 200 points, superintendent, \$2,300; 201 to 275 points, superintendent, \$2,400; 276 to 350 points, superintendent, \$2,500; 351 points and over, superintendent, \$2,600.

Mr. REILLY of Connecticut. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Connecticut offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 15, after line 17, insert the following:

"Provided, That because of the reclassification plan herein provided no employee shall receive less compensation than before the passage of this act."

Mr. REILLY of Connecticut. Mr. Chairman, the amendment explains itself, I think, without further comment.

Mr. MANN. Does the gentleman want to say "no employee" or "no office"?

Mr. REILLY of Connecticut. No employee affected by this legislation.

Mr. RUCKER. For personal service.

Mr. MANN. Possibly some employee might want to be transferred to some other place, and the question is whether he could be transferred at a lower salary. Of course if it only relates to the reorganization—

Mr. REILLY of Connecticut. This reclassification is all it refers to.

Mr. CULLOP. Mr. Chairman, I would like to ask the gentleman a question. I understood that the purpose of this reorganization was in part to reduce salaries. Now, if this amendment—

Mr. STEENERSON. Let us have the amendment reported again.

Mr. CULLOP. In just a moment, when I finish my sentence. If this amendment should be adopted, then it would restore them all to the same salaries they had before the change or reorganization took place.

Mr. REILLY of Connecticut. Not necessarily, Mr. Chairman.

Mr. CULLOP. I should like to have the amendment reported again.

The CHAIRMAN. If there be no objection, the amendment will be reported again.

The amendment was again read.

Mr. BYRNS of Tennessee. Is it proposed by this amendment to cover cashiers, superintendents, and all other employees?

Mr. REILLY of Connecticut. This amendment proposes to cover all those referred to in this reclassification proposition which has just been read.

Mr. CULLOP. But, Mr. Chairman, if this amendment was adopted, there could be no reduction in the salary of any employee of the office.

Mr. REILLY of Connecticut. There could be no reduction in the salaries of present employees.

Mr. CULLOP. There could be no reduction, and there might be cases in which a reduction would be essential. Hence, if this was adopted, it would prevent anything of that kind, and the minimum salaries must remain as they now are. There might be instances where reductions ought to be made, and others in which increases ought to be made. I am going to make a point of order against this amendment, since I have heard it read.

Mr. MANN. It is too late.

Mr. REILLY of Connecticut. I think that it is too late, Mr. Chairman.

Mr. MANN. Instead of saying "because," would it not be better to say "by reason of"?

Mr. REILLY of Connecticut. I shall be glad to agree to any change in the phraseology that will improve it.

Mr. MANN. There might be quite a difference between the construction of "by reason of" and "because of." Of course what you mean is "by reason of."

Mr. CULLOP. This would relate to all the employees of the office, so far as a reduction is concerned.

Mr. MANN. No. "By reason of the reclassification no reduction shall be made" is plain enough.

Mr. REILLY of Connecticut. I will accept that.

Mr. MANN. "By reason of the reclassification" means one thing. To say that there shall be no reduction because of the reclassification is an entirely different thing, and that is not what you intend.

Mr. REILLY of Connecticut. The distinction may be too fine for me, but I accept it.

Mr. CULLOP. Do you not intend by this amendment to affect only the employees who are affected by the reclassification?

Mr. REILLY of Connecticut. Exactly.

Mr. CULLOP. This amendment affects all employees, and the reason given is because of the reclassification. It does not apply alone to the men who are affected by the reclassification, but to all. I am sure the gentleman from Connecticut does not intend it to be so broad as it really is.

Mr. MANN. But if you say no reduction shall be made by reason of the reclassification, that would not affect any other reductions which might be made irrespective of the reclassification.

Mr. REILLY of Connecticut. The intention is to have it affect only those referred to in this reclassification.

Mr. MANN. I suggest to the gentleman that he make that change.

Mr. REILLY of Connecticut. I ask that that change be made by the Clerk.

The CHAIRMAN. What is the exact change?

Mr. REILLY of Connecticut. "By reason" instead of "because."

The CHAIRMAN. If there be no objection, the amendment will be so modified.

There was no objection.

Mr. CULLOP. Now, since the amendment has been modified, let us have it reported again so that there will be no misunderstanding about it.

The Clerk read as follows:

On page 15, after line 17, insert the following:

"Provided, That by reason of the reclassification plan herein provided no employee shall receive less compensation than before the passage of this act."

Mr. CULLOP. Now, Mr. Chairman, that affects every employee in the office, without regard to whether his position has been affected by the reclassification or not. That is the meaning of that amendment, but the reason for it is given as because of the reclassification. But it is not confined to the officials who are affected only by the reclassification. Therefore, if adopted, it will affect every employee in the office.

Mr. MANN. Will the gentleman yield?

Mr. CULLOP. Certainly.

Mr. MANN. How would it do supposing it read this way, "Provided, That no employee shall receive less compensation by reason of the reclassification plan herein provided for than before the passage of this act"?

Mr. CULLOP. That would still leave it as bad, if not worse, than it is now. If it is simply made to apply only to those em-

ployees who are affected by the reclassification, which doubtless it is intended to mean, it ought to plainly say so; but as it is now, it affects every employee in every post office, and that is my objection to it as it is now written. For this reason I think it ought to be defeated.

Mr. STEENERSON. Will the gentleman yield?

Mr. CULLOP. Yes.

Mr. STEENERSON. Does not the gentleman think that this amendment is in harmony with the policy of the Post Office Department for economy, that the salaries shall be increased but not decreased?

Mr. CULLOP. I am not controlled in my action by those of any other individual. I say wherever an employee is rendering service worth more to the public than he is now receiving, he ought to have an increase; where an employee is rendering service not worth as much to the public as the salary he is now receiving, there ought to be a decrease in his salary. It ought to be measured by the real service that is being rendered to the public. Some of these men may be rendering a service that is worth more than they are now receiving, and others may be rendering a service that is worth not half as much as they are receiving. The pay always should be commensurate with the services rendered, and should be based on that principle alone.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. REILLY].

The question was taken; and on a division (demanded by Mr. CULLOP) there were 27 ayes and 5 noes.

So the amendment was agreed to.

Mr. STEENERSON. Mr. Chairman, I ask unanimous consent that the gentleman from Tennessee [Mr. AUSTIN] be given leave to extend his remarks in the Record on the Post Office appropriation bill. He is absent on account of sickness.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that his colleague, the gentleman from Tennessee [Mr. AUSTIN], be permitted to extend his remarks in the Record on the Post Office appropriation bill. Is there objection?

There was no objection.

The Clerk read as follows:

Provided, That no allowance in excess of \$300 shall be made where the salary of the postmaster is \$1,000, \$1,100, or \$1,200; nor in excess of \$400 where the salary of the postmaster is \$1,300, \$1,400, or \$1,500; nor in excess of \$500 where the salary of the postmaster is \$1,600 or \$1,700; nor in excess of \$800 where the salary of the postmaster is \$1,800 or \$1,900: And provided further, That in the disbursement of this appropriation no employee shall be paid at a rate higher than \$600 per annum.

Mr. WINGO. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, on page 16, line 14, by striking out the figures "300" and inserting "400."

Mr. WINGO. Mr. Chairman, it is my intention, if this amendment is agreed to, to offer an amendment increasing the maximum amount that may be allowed \$100 in each class. The reason for it is that my investigation shows that in some third-class offices the clerical allowance is not sufficient to pay for the actual number of employees that are necessarily employed to do the work of the office. I think if there is any thing or any place where we are too economical it is the clerical allowance in the third-class offices. Take the highest amount of salary—\$1,900—and the total amount is \$800. You can not find a single third-class office where the assistant—he is practically an assistant postmaster, although not classified—where you can get a competent man for less than \$900. I have not found a single office where you can get him, and my investigation has not been confined to my own district nor my own State. I have not found a single office where the postmaster is paying less than \$25 a month out of his own pocket in order to obtain competent help.

Mr. MANN. Will the gentleman yield?

Mr. WINGO. Certainly.

Mr. MANN. The amount of the appropriation has been already passed.

Mr. WINGO. Yes; \$1,700,000.

Mr. MANN. If this is increased in accordance with the gentleman's amendment, does anyone know the additional amount of appropriation that will be required?

Mr. WINGO. No; my amendment does not require that this amount shall be appropriated.

Mr. MANN. But the gentleman expects that it will be made.

Mr. WINGO. It will be—

Mr. MANN. I am not saying that the amendment ought not to be adopted, but it will require an increased appropriation.

Mr. WINGO. It will require an increased appropriation, and I think economy at the expense of the service is poor economy. In some parts of the country it may be true that they do not

use that much, but you can not find, as a rule, where they can get along with the present allowance.

Mr. STEENERSON. The gentleman's amendment only relates to the classes between ten and eleven hundred dollars.

Mr. WINGO. That is my first amendment. If it is adopted, I intend to offer an additional amendment to each one of the classes.

Mr. STEENERSON. I presume the chairman will recollect how many third-class offices there are—some 5,000 or 6,000.

Mr. MOON. Oh, yes; more than that. Mr. Chairman, I do not agree with my friend from Arkansas. I think this service is amply paid for and that the efficiency is in no way affected by the present allowance. I guarantee that I can fill every office in these third-class offices with a better man for the present salary.

Mr. WINGO. Will the gentleman yield?

Mr. MOON. Certainly.

Mr. WINGO. Is it not true, and has not the department so advised, that they have not in some instances been able to meet what appeared to be a legitimate demand for an increased allowance by reason of the limitation?

Mr. MOON. I do not know; that may be.

Mr. WINGO. Does the gentleman think that in a town of 3,500 inhabitants, a county seat, with four railroads coming into it, you can get a competent man to handle the service for \$800, where there is only one clerk with the postmaster?

Mr. MOON. Oh, there may be an isolated case of that sort where it can not be done, but I think generally it can be done. There is an unexpended balance on this item of \$187,000.

Mr. WINGO. The reason of that is on account of this limitation; the department can not meet the merits of a particular situation because of this ironclad limit.

Mr. MOON. I do not think that is it. I think this is ample for the service. I do not believe this House ought to increase salaries and compensation along that line. I believe we are paying all that it is worth. The department thinks so, and they are the best judges. I would not want any man to perform services for less than the services were worth, but when there are hundreds and thousands of people clamoring for positions at a less salary I think it is out of order to undertake to increase them.

Mr. STEENERSON. Mr. Chairman, will the gentleman yield?

Mr. MOON. Yes.

Mr. STEENERSON. In reference to what I inquired about, I find from the report that the number of third-class offices increased last year from 5,942 to 6,044, so that I was pretty nearly right.

Mr. MOON. Yes; I concede the gentleman is right about that. I did not take issue with him in regard to that.

Mr. STEENERSON. Then it would require about \$600,000?

Mr. MOON. Yes.

Mr. HOWARD. Mr. Chairman, I would like to say a word or two in support of this amendment offered by the gentleman from Arkansas [Mr. Wingo]. I want to call the attention of the chairman of the Committee on the Post Office and Post Roads to one class of offices where, I think, and, in fact, I know it is true in my district, the help in the office is underpaid. The salaries of the postmasters are predicated on the receipts of the office, and there is not a large city in the country that has not suburban post offices where a great number of the population work in the larger cities. For instance, I have three offices in my own district that are within 6, 7, and 8 miles of the city of Atlanta. A great volume of mail is handled for these suburban towns, but when stamps are to be purchased and letters are to be mailed, and when other items going to make up receipts of office are considered, the men folks of the families living in the suburbs usually buy their stamps in the city of Atlanta or bring them from their business institutions, and they mail the letters of the family in the large cities. Therefore the receipt of mail and the actual handling of mail in these suburban offices is much larger than the receipts of the office would indicate.

In my own town of Decatur, which is 6 miles from the city of Atlanta, the postmistress herself has to supplement the allowance of the department to get a person capable of doing the work in assisting her in the handling of the volume of mail. The same is true in College Park, 8 miles from the city of Atlanta. The postmistress there supplements the salary of her assistant to the extent of several dollars a month. Now, on the bare cold facts, as they are presented to the department, it would seem that these people are treated as justly as the other postmasters throughout the country, and I am making no complaint as to the Post Office Department, for it has allowed the maximum in each case, but as a matter of fact they are not allowed enough, because they do handle a greater volume of

mail than the receipts of the office would show, and I think the amendment of the gentleman from Arkansas ought to be adopted, and it should be left discretionary with the department for them to fix the amount, so that the department can meet the necessities of cases like those I have mentioned. I think the maximum amount ought to be increased \$100 in each instance, and then we should leave it to the facts in the case with the department, and let them decide whether they would allow the additional hundred. I took this matter up a few weeks ago with the Chief of the Division of Salaries and Allowances, and in the case he allowed the maximum, but that amount was really insufficient. I think the maximum amount ought to be increased for the purpose of allowing the Postmaster General or the Chief of the Division of Salaries and Allowances to investigate cases of the character I have mentioned and say whether or not the postmaster would be justified in having a greater allowance given.

It must also be considered that since there has been any increase of the maximum for clerk hire the parcel post has been added to the service, which greatly increases the labors of postmasters and requires the employment in many instances of male help where formerly women were employed.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas.

The question was taken; and on a division (demanded by Mr. Wingo) there were—ayes 20, noes 29.

So the amendment was rejected.

Mr. WINGO. Mr. Chairman, I offer another amendment, which I will ask the Clerk to report.

The Clerk read as follows:

Page 16, line 16, strike out "\$400" and insert "\$500."

Mr. WINGO. Mr. Chairman, the figures given by the gentleman from Minnesota [Mr. STEENERSON] are just about as erroneous as is his conception of the amendment offered. It will not require any \$600,000, and any schoolboy can figure it will require only \$60,000. The chairman of the committee says \$180,000 remains of unexpended balance in this fund at the present time. That is an argument for increasing the maximum allowance. If you adopt my amendment it does not mean that the Post Office Department will be compelled to pay more, but it permits the Post Office Department to use that \$180,000 where it could have used it this year, in cases where there is no question that it should be increased.

Mr. STEENERSON. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Not now. I want to finish this statement—yes; I will yield.

Mr. STEENERSON. Six thousand offices with an allowance of \$100 each would amount to \$600,000.

Mr. WINGO. Six thousand times 100 would be 600,000; but we will not have that many cases.

Mr. STEENERSON. The gentleman just stated it would be only \$60,000. I think his arithmetic is wrong.

Mr. WINGO. If the gentleman knew the number of demands that have been made where the postmasters are paying more now than the office allows them, he would know differently. I stated that I investigated the matter.

Mr. STEENERSON. The gentleman is probably correct about that.

Mr. WINGO. I am not talking about the total number of offices in the United States. I am talking about the number of offices where there has been a demand for an increased allowance, where the maximum amount has been allowed.

Mr. MOON. Does the gentleman know how many of that kind of cases there are?

Mr. WINGO. I think I can give the gentleman the information. I think Mr. Koontz could or anyone connected with the department.

Mr. MOON. I think Mr. Koontz could.

Mr. WINGO. But let us get back to the argument. My amendment simply permits that division to increase the allowance where the showing is made that it should be increased. The gentleman may say that he can furnish plenty of men from Tennessee. I do not know whether he can or not. I think, if the gentleman investigates, he will find that in Tennessee he has at least two offices of this particular class where the allowance is not sufficient to meet the demands. It is true of every congressional district in the United States. This does not call for increased expenditures unless the department, looking into the merits of each case, says there shall be an increase. Can you not trust the department to make the increase? The gentleman says that he is opposed to the increase. His bill carries an increase for the larger offices in the country—an increase of salary in one instance of \$600 to one employee—and yet he goes on and in the name of economy cries out against raising the

maximum allowance to meet emergencies of the kind cited by me.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. HOWARD. Will the gentleman make this proposition clear to the committee, so that it can understand that the gentleman's amendment simply increases the maximum amount and leaves it to the discretion of the department as to whether in each particular case it will grant the increase?

Mr. WINGO. Certainly; and I have repeated that twice. My amendment does not necessarily require it unless the merits of each case, in the opinion of the department, necessitate this increased allowance. I have in mind one place where the postmaster is going to resign because he now has the maximum, and in order to get the proper clerical service, owing to the peculiar conditions which exist in his town, he can not make out of his salary sufficient to maintain himself after paying his clerks; and this man was not a candidate for the position. He was appointed not because he was a candidate but because he is the best qualified man, with a peculiar fitness for the post office, and he took it. Now, will you say, in an instance like that, the department should not be permitted to see that that man has a sufficient allowance to get the necessary clerk hire?

Mr. MANN. Will the gentleman yield for a question?

Mr. WINGO. With pleasure.

Mr. MANN. There are, as I understand, something like 6,000 third-class offices affected or which might be affected by the paragraph and appropriation.

Mr. WINGO. Yes; 6,000.

Mr. MANN. The appropriation is \$1,700,000, and the amount of possible maximum allowance runs from \$300 to \$800. I take it that shows that the maximum amount is not and can not be allowed to all of these offices. If the maximum amount authorized were allowed to the various offices, the total sum would far exceed \$1,700,000 of appropriations.

Mr. WINGO. If the gentleman will pardon me, my understanding is there is a maximum allowance that is only allowed in about 10 per cent of the cases that go to these larger offices. There are a lot of third-class offices that are very near offices of the second class, and a greater allowance is needed in about, say, 10 per cent of the cases.

Mr. MANN. The gentleman probably has answered the question, really, which I desired answered, and that was this: Where we make this appropriation of a maximum amount, sometimes that is mere pro forma, and the maximum amount is not allowed unless it is required. In many other cases where they fix the maximum amount it is always allowed and so construed. I take it, of course, in these cases, from the gentleman's statement, that in fixing the maximum amount it does not mean it is to be allowed as a pro forma amount.

Mr. WINGO. No; as a matter of fact, we know the maximum is not allowed in a great many cases of this kind.

Mr. MANN. And could not be allowed under the appropriation.

Mr. WINGO. Certainly.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I would ask that the gentleman have five minutes more; I took up a good deal of his time.

Mr. WINGO. Three minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Arkansas may proceed for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. WINGO. Here is one thing to which I wish to call attention. The very fact that the department has \$187,000 unexpended balance shows that the maximum has not been allowed, even to the extent the department might allow it. That is true; but there has been a wonderful growth—and I think the department will tell the gentleman so—there has been a wonderful demand for an increase beyond the maximum in a great many cases, especially a demand in the West along the line of new railroads. In other words, here is a post office that has not quite reached another class. As a matter of practical experience and practical knowledge you recognize it will require about as much clerk hire for an office which is about reaching the third class from the fourth or the second class from the third, and this increase of \$100 is something that ought to be made.

Mr. HOWARD. Will the gentleman permit me to interrupt him?

Mr. WINGO. Certainly.

Mr. HOWARD. I want to call the attention of the gentleman to the fact that the postmasters in my district say the parcel post has increased the general expenses of the office about one-third.

Mr. WINGO. It does not make any difference what causes it; as a matter of fact we know there is an increase. There is a general increase of the number of third-class offices becoming second and fourth-class offices becoming third. There has been a great development in this line in the last 12 months.

Mr. SLOAN. Has there been any increase in the maximum since the parcel post was put into operation?

Mr. WINGO. I can not say, but this is the present law, as I understand it, carried in the bill.

Mr. SLOAN. And that is no greater than it was before the parcel post was put into effect?

Mr. WINGO. I do not know; but I know it is not increased over the present law. My information is that there is no increase over the present maximum allowance.

Mr. MOON. The gentleman is correct; that is the present law. The gentleman says that because there is an unexpended balance of \$187,000 that is an evidence of the fact that we ought to increase the amount beyond which they can not go in the payment of salaries of postmasters—

Mr. WINGO. I beg the gentleman's pardon, if he will allow me to correct him. I said this argument was an indication that the estimates had not been correct in reference to the maximum, because they had estimated they would need more, and yet the maximum was so low they could not use it to meet the necessities of individual cases.

Mr. MOON. Mr. Chairman, as a matter of fact, that is not correct. If that is an evidence of anything at all, it is evidence of the fact that there is left in the department down here \$187,000 that has not been called for, or if called for could not be obtained under existing law. I suppose the gentleman will not take issue on that proposition.

Mr. WINGO. I agree with the gentleman on the last proposition.

Mr. MOON. We have no evidence before the committee of any calls that have been made that have not been responded to, but the evidence inferentially is exactly the other way. The Post Office Department recommends a reenactment of this very section word for word in the report that is made and in the estimates. Now, if they have been embarrassed in any way, they would not have made that recommendation. Now, there may be some two or three little post offices about in the country where gentlemen think they are not being sufficiently paid, but we have got to take this country as a whole, and I reassert that they can get a dozen men at these places—

A MEMBER. Or women.

Mr. MOON. Or ladies for these places. Now, this thing of openly and flagrantly increasing the appropriations, when there is no fact to justify it and when the department did not want or ask for it, I think ought not to be undertaken in this House.

Mr. RUCKER. Mr. Chairman, I think it can safely be said that the amount paid postmasters is not excessive; that it is reasonable compensation. If that is true, then the allowance made for clerical help in the post office, which in a third-class office means an assistant postmaster, in effect, is shamefully too low. The language of this bill, in my opinion, would be better if the amendments offered by the gentleman from Arkansas were adopted, and then the bill should be still further amended so as to read that no sum of less than \$400 shall be paid. What does it mean? It means that in a third-class office, where the \$300 proposition applies, the postmaster is expected to find somebody to serve for \$25 a month. The gentleman from Tennessee says he can find plenty of men in his State who will work for that sum—

Mr. MOON. And plenty of women, too.

Mr. RUCKER. And I say the United States Government ought not to ask any man or any woman qualified to perform this service to work for \$25 a month.

Mr. MOON. I will suggest to the gentleman that we are on the other section now—of \$400.

Mr. RUCKER. It requires ability, it requires integrity, it requires efficiency; and I say that when the Government demands those qualifications of its citizens we ought to pay an adequate and reasonable salary. If the salary of the postmaster is too high, cut it down; but as it stands to-day the United States Government invites every man named for third-class postmaster by the Post Office Department to go into his community and coerce, as it were, by taking advantage of the necessities of some poor man or poor woman and command their services for the public for 12 whole months for \$300. I say it is wrong. These amounts ought to be increased, and I hope this committee will increase them.

I am not particularly concerned about these items. I am not in favor of raiding the Treasury. I am in favor of economy—not theoretical, but actual, practical economy. But my notion is, expressed candidly, that we ought to commence economizing

with those who draw large salaries and not eternally plead poverty or inability of the Government to pay and detract and deduct from the meager pittance paid to those who draw low salaries and who actually perform services—

Mr. MOON. Will the gentleman allow a question?

Mr. RUCKER. Certainly.

Mr. MOON. The gentleman was discussing this matter as though we were paying the postmaster \$300; but that is not the proposition.

Mr. RUCKER. The gentleman misunderstood me.

Mr. MOON. The postmaster here gets \$1,300, \$1,400, or \$1,500 a year, and he is allowed this additional help at \$400. Suppose he is getting \$1,500 and he is getting help at \$400; that makes a salary of \$1,900. Do you not suppose that most of the men in this country at these little offices would accept that salary of \$1,900 and pay it all for one man, without any allowance at all, much less than \$400 for help?

Mr. RUCKER. My dear sir, I am one of those Democrats who believe that the man who performs more work in the little towns to which the gentleman refers than some gentlemen do in big towns ought to be paid a reasonable compensation for his work, although performed in a little town. And I say if the salary of \$1,100 paid to the postmaster is not too much, he ought not to be required to share it with his clerk. The gentleman concedes that to be the right amount to pay in some offices and that \$1,500 is the right amount to pay in other offices. For what? For the service rendered by the postmaster himself. Now, when it comes to authorizing him to provide clerical help we ought to pay him an adequate sum and enable him to pay a person a reasonable sum for the service rendered.

Mr. TUTTLE. Mr. Chairman, I hardly think that conditions justify the increase in the pay of these clerks in the smaller offices. I represent a suburban district in northern New Jersey, a district of the character to which my friend from Georgia referred. The post offices in that district are both small and large, and their receipts are greatly reduced by reason of our close proximity to New York. I do not think, however, that there is any reason to believe our postmasters in the third-class offices are underpaid or that their allowance for clerk hire is insufficient. On the contrary, my experience and my observation are that they are overpaid if anything, that the compensation which they are receiving as postmasters exceeds that which they would receive in private business, and is more than industrial concerns pay for the same class of service.

Mr. RUCKER. Then, do you not think you ought to reduce the salary of the postmasters?

Mr. TUTTLE. I certainly do. It is my opinion that the salaries of many of these postmasters should be reduced.

Mr. RUCKER. Do you believe in these offices where the salary is \$1,000 or \$1,100 or \$1,200 and the allowance for clerk hire is \$300 that the \$300 is excessive?

Mr. TUTTLE. It goes to the postmaster and is evidently sufficient, because there is a great rivalry for these offices.

Mr. RUCKER. It goes to the postmaster, as I understand it, with the recommendation that he may employ assistants at \$300, and he uses that argument.

Mr. TUTTLE. The postmasters are glad to have the offices under those terms, and they feel that they are well paid, and I believe they are. They employ members of their family—women and young men—and they have no difficulty in running the offices efficiently.

Mr. RUCKER. I do not know how it may be in New Jersey, but I will say it is not true in the State in which I live.

Mr. TUTTLE. Of course the cost of living is high in New Jersey, and they would suffer there if they would suffer anywhere, because we are on the edge of New York City, where expenses are said to be higher than elsewhere.

Mr. BARKLEY. Will the gentleman yield?

Mr. TUTTLE. I will.

Mr. BARKLEY. This \$300 is not paid direct to the postmaster, is it?

Mr. TUTTLE. It is an allowance for clerk hire.

Mr. BARKLEY. Suppose he does not have any clerk hire, but does the work himself, does he get the \$300?

Mr. TUTTLE. I do not think so. I think he has to account for the clerk.

Mr. BARKLEY. He has, of course, to advise the department of the fact that he has employed this assistant at the \$400 rate or the \$300 rate, and it is allowed to him?

Mr. TUTTLE. Yes.

Mr. BARKLEY. Now, in cases where the office pays \$1,300, \$1,400, or \$1,500, frequently it happens that one clerk is not enough. I know that there are offices in my district that pay no more than \$1,500 where it is necessary to have two clerks

besides the postmaster. In that sort of a case he is expected to give up part of his own salary to get the additional clerk or get the additional clerk in the \$500?

Mr. RUCKER. Four hundred dollars.

Mr. BARKLEY. Yes; \$400 instead of \$500.

Mr. TUTTLE. Yes.

Mr. BARKLEY. The gentleman's position, then, is that the compensation of the postmaster is above what it ought to be to justify him in giving up part of it to pay this expense?

Mr. TUTTLE. That is my position exactly. That is the opinion I have arrived at from a study of these post offices in New Jersey. The postmasters are very well paid for the work that is done.

Mr. BARKLEY. Does the Government pay the rent for all presidential post offices?

Mr. TUTTLE. Yes; it makes an allowance also for light and heat.

Mr. MANN. Mr. Chairman, the gentleman from New Jersey [Mr. TUTTLE] says that, representing a district that is suburban to New York, the salaries of postmasters there are thereby decreased. That is a novel idea to me. Having some observation of suburban districts around Chicago, a portion of which at one time were within my district, I learned that the salaries of the postmasters at all of these suburban towns were very largely increased, because the suburbanites would buy their postage stamps at the suburban office more conveniently than they would buy them in the city and carry them into the city, where the mail was canceled; and in all these suburban towns near the large centers the postmaster's salary is not decreased, but considerably increased because of these receipts from the sale of stamps.

In the course of my life I was at one time in charge of a fourth-class and a third-class post office. It was not under civil service, and it is a tribute to human nature to say that, notwithstanding all the assertions about people not resigning, I voluntarily quit the office to study law. I am not sure that it was wise.

In many of these offices there is a considerable amount of additional work required beyond that of merely taking care of the patrons of the office. There are lots of third-class offices which in a way are terminal offices which have an extra amount of work to do, and these allowances that are made under the existing law are usually made because of extra work to be performed at the particular office over that which is ordinarily required at the average third-class office.

Now, we make an arbitrary limitation of the amount. I think possibly that may have been wise in the first place. It may be wise to keep an arbitrary limitation in the bill. And yet it is impossible to classify all of the third-class offices and say which one may need more money for actual service rendered and hit it right in every case. It must depend upon the particular facts of the case, and it seems to me that it would be wise and businesslike to leave it to the Post Office Department to determine what should be the allowance on account of special work at a particular post office.

The facts in the past have shown that the department does not allow these maximum amounts simply because we permit it. The department in acting upon a case acts upon the merits of the case. It must have done so in the past. It is not a pro forma allowance. I can not see any objection to permitting the department in some case where it is now only authorized to allow \$300 for extra service to allow \$400 if, in the opinion of the department, the extra work required at that office justifies the allowance.

Mr. MOON. Mr. Chairman, I want to say, in reply to the statement of the gentleman from Illinois [Mr. MANN], that it is proper to leave the whole matter in the discretion of the department, and the department, in the exercise of its discretion, has especially recommended that no higher figure be given than that named in the bill now. It is known to all of us that when we use the language "fixed at a maximum figure," the persons who are proposing to get the advantage of it always press to the limit. If the amount beyond which you can not go is \$400, they will press for the \$400, all of them, until they get it, or as nearly so as possible. If you had made that limit \$500 at that particular office, they would have pressed for \$500.

It is wise for us here to make that reasonable limit which the department proposes to us to make and which has seemed to it best as an administrative proposition, and I hope that the House will vote against this amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas [Mr. WINGO].

The question was taken, and the amendment was rejected.

Mr. WINGO. Mr. Chairman, I offer an amendment. On page 16, line 17, I move to strike out "\$500" and insert "\$600."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Arkansas [Mr. Wingo].

The Clerk read as follows:

Amend, page 16, line 17, by striking out "\$500" and inserting "\$600."

Mr. WINGO. Mr. Chairman, the remarks of the gentleman from New Jersey [Mr. TUTTLE] indicate that it is very wise that we have an arbitrary maximum. It also is a good argument to support the proposition of not undertaking to classify arbitrarily all these offices, but to have some discretion left in the department. I am sure my friend from New Jersey, simply because he can get men cheaply in his district, would not want to limit the department in paying what men are worth in other parts of the country.

Now, he may be able to get a young man in his district, a competent young man, for deputy postmaster in one of these towns for \$400, as he says. I do not know about his district; I will not speak for his district. He knows about it. But you can not do it in mine. It may be that because my country is a newer country wages and everything else are naturally higher there.

But take the arbitrary maximum in this class. There is not a deputy postmaster in any third-class office in my district that can afford to take the position for that amount, so the postmaster is compelled to take part of his own salary to make up the difference. I do not know how it is in other districts. If you are satisfied in your own district, is there any reason why you should object to leaving it to the department to meet the necessities and demands of some other place? The gentleman says he thinks the salaries for these small post offices are too high, and he is against increasing salaries. Yet in this same bill which you bring in here you increase the salary of one man in the neighboring city of New York \$600 a year, or from \$3,200 to \$3,800. Yet you object to the small salaries in the small towns.

Mr. TUTTLE. Does the gentleman think that \$3,800 is too much for a man who has charge of 3,000 men?

Mr. WINGO. I do not know; because I do not know what work he does. Neither does the gentleman know the work that is done in these smaller places, where they can not get men for \$400 or \$500.

Mr. TUTTLE. I have lived all my life in small towns, having second and third class post offices.

Mr. WINGO. The gentleman does not know anything about the West.

Mr. TUTTLE. I believe that in my district the demands upon all persons because of the high cost of living are as great as in any part of the country.

Mr. WINGO. Has the gentleman investigated the demands in Oklahoma?

Mr. TUTTLE. I have not.

Mr. WINGO. Or in Arkansas, or Missouri, or Texas, or Tennessee? The gentleman does not know anything about the demands out there. Now, I have investigated them. Of course you are going to vote this down. You are perfectly willing to increase the salaries in New York City and the other large cities. You are perfectly willing, you who cry economy, to increase the salaries of men in the larger cities, but you refuse to do justice to the postmasters and clerks in the smaller country towns. You not only deny them justice, but in some instances the same men who vote for the increased salaries in the larger towns say that the men in the smaller towns are getting too much. To be frank with the gentleman, I have no patience with any such philosophy of economy as that. I believe that the man in a town of 3,500 is worth just as much as the man in a town of 35,000 or 3,500,000. It may be true that living expenses are higher in the larger city, and that ought to be taken into consideration in fixing the salaries for such a city; but when it comes down to a question of the worth of the man, there can not be such a great difference between those in the cities and those in the country towns, and no man can make me believe it.

Mr. GOULDEN. Will the gentleman yield for a question?

Mr. WINGO. Certainly.

Mr. GOULDEN. I think the gentleman wishes to be fair.

Mr. WINGO. I want to be fair.

Mr. GOULDEN. That is the gentleman's reputation, and that is my observation of him. Now, when the gentleman says there is an increase of \$600 in the large city offices he overlooks the fact that there is the absolute wiping out of a \$4,000 position; that of the assistant postmaster.

Mr. WINGO. That is true.

Mr. GOULDEN. And the same man who occupies that place, according to the universal views expressed here, is expected to occupy this new position, and in most cases I am sure he de-

serves it in every respect, but he will take the new position at a salary \$200 less than he has been receiving.

Mr. WINGO. Now, that involves the merits of a particular case. What I say is, if there is a particular case in Oklahoma, or Arkansas, or Tennessee, where it will require that a man be paid \$600, do you not think you should allow the department to have some discretion in the matter, and not limit his pay to \$300?

Mr. GOULDEN. I surely do, as I believe in a square deal all around, no matter what section is affected.

Mr. WINGO. That is all I am trying to get.

Mr. MOON. Mr. Chairman, I am surprised that the gentleman from Arkansas should try to array the country against the city. That is an old political dodge. Inasmuch as I represent a country district, I think I have a right to express my opinion on this subject. This supervisor in New York, whose salary of \$3,800 the gentleman speaks of, has control of as many men as would be employed in a thousand post offices like the one the gentleman talks about. Proportionately, therefore, the salaries and allowances to the man in the country are very much greater everywhere than they are to the man in the city, and necessarily so. Now, some gentleman says he can not get men to take the positions. Why, take your clerks in the dry-goods stores in your town at home, or the accountants. I venture to say that there is not one in 50 among them who is getting \$75 a month, and here this man gets \$75 a month.

Mr. RUCKER. How do you make \$75 a month out of a salary of \$300 a year?

The CHAIRMAN. The question is on the amendment of the gentleman from Arkansas [Mr. Wingo].

The amendment was rejected.

Mr. WINGO. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

In line 19, strike out "800" and insert "900."

Mr. WINGO. Mr. Chairman, the gentleman from Tennessee [Mr. MOON] says I am trying to array the city against the town. I am not trying to do that, but I want to tell you that such unjust discriminations as you seek to make by this bill will justly make the country feel that it is not getting a square deal. The gentleman says that not one clerk or accountant in fifty in these towns is getting \$75 a month. That statement shows that the gentleman knows absolutely nothing about my district.

Mr. MOON. I did not say "no man," I said "a majority of them."

Mr. WINGO. Well, I will still let the statement stand.

Mr. MOON. Then the gentleman has got a better district than I have.

Mr. WINGO. Certainly; I moved from Tennessee to Arkansas because Arkansas was the better State.

Mr. MOON. Tennessee is sorry to lose the gentleman, but sorry that he turns up, as he does, in Arkansas.

Mr. WINGO. I had energy enough to get out of Tennessee and the gentleman had not.

Mr. MOON. May I suggest to the gentleman that he ought not to go back on his old State.

Mr. WINGO. I am not going back on it.

Mr. MOON. The gentleman knows what is said about the birds.

Mr. WINGO. Yes, I know what is said about the birds; and I know what is said about a certain animal, too. [Laughter.] But, seriously, gentlemen, here is a proposition; and I say there is not such a distinction between the salaries in the small towns as in the cities. I know there is a distinction to be made by reason of the increased cost of living, but there is not such a distinction as you make in this bill. Now, I am not speaking from guesswork. I know what I am talking about. I know one office where a postmaster gets up at 5 o'clock in the morning and stays in his office at work until 9 o'clock at night. He has two clerks in the office—one woman and one man—to help him. He is not given a sufficient allowance to pay for the man that is there. Now, this man can not afford to keep that post office. He can draw a bigger salary than he is now getting as mail clerk. He was appointed to that particular office because he is a competent man. I do not pick up any curbstome politician. You can do that; there are plenty of them in Tennessee and Arkansas and elsewhere, but when you put in a post office a competent man I say it is a false economy not to pay him sufficient to get competent clerk hire and keep that clerk's services up to the standard of efficiency. I for one do not believe it is democratic economy to practice economy at the expense of efficiency.

I am willing to increase the salaries of New York, if it is necessary, to get efficient, competent men, but I think the Gov-

ernment ought to meet the emergency in the smaller offices. I do not believe that you ought to pay a Government employee less than he can get in a private employment, but you ought to pay him the same amount that he would receive in a private employment if his services are worth that much. I know of an office in my own district where the allowance will not pay the man what he can get in private employment in the same class of work and for really shorter hours of service.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

The question was taken; and on a division (demanded by Mr. WINGO) there were 12 ayes and 21 noes.

So the amendment was rejected.

Mr. WINGO. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 16, line 22, strike out the figures "600" and insert "900."

Mr. WINGO. Mr. Chairman, if any Member here believes that \$50 a month is the maximum amount that should be paid deputy postmasters of the third-class offices, that that is the most they can honestly earn, why, you can vote down my amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas.

The question was taken; and on a division (demanded by Mr. WINGO) there were 9 ayes and 24 noes.

Mr. WINGO. Mr. Chairman, I demand tellers.

The question was taken, and tellers were refused.

The Clerk read as follows:

For rent, light, and fuel for first, second, and third class post offices, \$5,400,000: *Provided*, That the Postmaster General may, in the disbursement of the appropriation for such purposes, apply a part thereof to the purpose of leasing premises for the use of post offices of the first, second, and third classes at a reasonable annual rental, to be paid quarterly for a term not exceeding 10 years; and that there shall not be allowed for the use of any third-class post office for rent a sum in excess of \$500, nor more than \$100 for fuel and light, in any one year.

Mr. WINGO. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 17, line 7, strike out "500" and insert "600."

Mr. WINGO. Mr. Chairman, the object of offering that amendment is that I know of cases where rents are legitimately higher than this maximum allowance. I have in mind one town where the rent of a 25 by 70 foot building is \$50 a month, and that is what the merchants are paying. They are making an effort now, because of the burning of the old post-office, to get a new site. It is a town of about 15 years of age, and the wooden part has been burned away, and there is nothing but brick buildings left, and has not been for a few years. The maximum allowance is \$600 for rent, fuel, and light. He can rent a building now for \$50 a month. I do not believe the Government ought to pay any less than what the rents of the building will bring in town. I know some instances where the Government pays more, but in many instances the Government can not get rents of a suitable character. In that town you have to go on a side street, in an out-of-the-way place, in order to get a rent at that price.

Mr. MADDEN. Will the gentleman yield?

Mr. WINGO. Certainly.

Mr. MADDEN. Does not the gentleman think the fact that the law authorizes the Postmaster General to make a lease for 10 years is of some importance in connection with the ownership of buildings? Is it not better for him to make a lease for \$500 a year for 10 years than to make shorter leases at a higher rate?

Mr. WINGO. That is true in the old settled community, but in towns which are just developed no man will bid for a 10-year contract. Five years is as long as you can get a bid on a contract. I have in mind a man who says that he will not bid for a longer contract than five years, because he knows the town is going to grow up, that another railroad is sure to come through there, and it will be the junction of several roads. Of course he would be foolish to tie himself up for 10 years. I think he would be foolish to tie himself up for five years. But you ought to have some latitude so that the department can meet just such a situation.

Mr. MOON. Mr. Chairman, this is not a new item. This is exactly the amount that has been carried for years, and the amount the department finds sufficient to meet the demands along this line. On account of the growth of this service there have been some \$200,000 added to this appropriation. Unless the department—and it does it as often as we ought to want it to do it—demands more money for the service down there, it seems to me this House ought not to insist upon first endowing the

department with appropriations it does not want and does not ask for and does not need. I am surprised at my friend from Arkansas. He makes his district out to be in worse condition, so far as these matters are concerned, than any other district in the country. It must be an isolated case. The demand is not made anywhere else. The department is not asking for any more money, it is not needing any more money, and it is not wanting any more money, and why should we give it any more money? To do so would be only upon one theory, and that is that we know more about the administrative work down there than those people do themselves, that we know they ought to have more money and ought to spend more money than they do expend. I am not willing to take that position. I am always glad to know when they have a decrease, and I am well enough pleased to know that they are not asking for any more than in previous years.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas.

The question was taken, and the amendment was rejected.

Mr. WINGO. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 17, line 8, strike out "\$100" and insert "\$150."

Mr. WINGO. Mr. Chairman, the gentleman from Tennessee [Mr. Moon] does me an injustice in his inference that if we support the amendment it will be upon the ground that we know more about it than the department. That is not true; but I think I know more about towns in my district than the gentleman does or that the department does. I think I know more about my district than he does. Of course it is an isolated instance. My whole plea is to allow the department sufficient latitude to meet these emergencies. Here is a proposition for fuel and light. I will tell you how they have to do. The merchants in the towns have to go down in their pockets and pay the man who furnishes these buildings with heat and light. The department will have to admit that. You can not get light and fuel in a good many towns for \$100 a year.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. SLOAN. Is the fuel question an especially pressing one in this town of which the gentleman speaks?

Mr. WINGO. I am not speaking about that, but you can find plenty of cases in your own district where light and fuel can not be had for \$100.

Mr. HAMILTON of Michigan. He will find hereafter that it can easily be had in sufficient quantities for that sum. [Laughter.]

Mr. WINGO. I did not intend to stir up any unpleasant forebodings, but it is a fact that in most towns the merchants chip in and help pay the owner of the building, so that they will be able to get the post office on their streets. In other words, you take up a collection to support the Federal Government's business in a town.

Mr. MANN. Mr. Chairman, the gentleman from Tennessee [Mr. Moon] has several times referred to what the department has asked for and what they have not, and I sometimes wonder whether it is possible to tell what the department asks for and what it does not. While this may not be strictly in order, it will have to come in at some time during the debate. In the recent report of the Postmaster General, on page 1, he says that the audited expenditures for the year amounted to two hundred and eighty-three million dollars and odd and that the adjusted losses due to fire, burglary, and so forth, amounted to \$14,333.46. I call attention especially to the adjusted losses due to fire, burglary, and so forth. That is on the first page of the Postmaster General's report, page 3 in the pamphlet. On page 4 of the pamphlet we find again, reported revenues, two hundred and eighty-seven million and odd dollars and charges against revenues for losses due to fire, burglary, and so forth, \$14,333.46. That is the same amount, the same item, on pages 3 and 4 of the report. On page 54 of the report we find the same thing repeated. Excess of revenue over expenditures, 1914, four million and odd dollars, and amount of losses due to fire, burglary, bad debts, and so forth, \$14,333.46. When I read this same item in three different places in the Postmaster General's report I assumed—temporarily, at least—that it was correct, that they had given the figures correctly three times. It is very unusual to set down any set of figures three times in the report of the Postmaster General. He gave the same figures three times for the amount of loss by fire, burglary, and so forth, as \$14,333.46. I then recalled that I had read on page 49 of this report the following statement:

The Postmaster General is authorized by law to reimburse postmasters for losses of Government funds and stamp supplies resulting from "fire, burglary, or other unavoidable casualty," and for losses of

such funds in transit to their designated depositories. The total number of claims received during the year was 1,467, an increase of 66 over the previous year and the largest number ever received in any one year. Claims to the number of 959 were settled, of which 722 claims, aggregating \$112,999.54, were allowed.

Then I picked up the report of claims of postmasters for losses on money by fires, and so forth, in the letter of transmittal from the Postmaster General, which gives the total of all of these, and it concludes by giving the total of \$112,999.54. Three times the Postmaster General reported the amount as \$14,333.46, and twice he has reported it at \$112,999.54. I do not criticize the Postmaster General. Undoubtedly he obtained the information from his subordinate officers; but does he get one set of figures from one set of officers and another set of figures from another set of officers? I question whether the Post Office Department always knows what it is asking for, or whether we can tell what it is asking for, when on a small item like that three times the Postmaster General reports \$14,333.46, and twice he reports \$112,999.54 in the same report.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

The question was taken, and the Chairman announced the noes appeared to have it.

Mr. WINGO. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 9, noes 17.

Mr. WINGO. Mr. Chairman, I ask for tellers. It might serve the useful purpose of getting more Members in here.

The CHAIRMAN. The gentleman from Arkansas demands tellers.

The question was taken, and tellers were refused.

So the amendment was rejected.

The Clerk read as follows:

For horse-hire allowance, the hiring of driving and the rental of vehicles, \$2,600,000.

Mr. MOON. Mr. Chairman, I offer the following amendment. Strike out the word "driving" and insert the word "drivers."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 17, line 24, strike out the word "driving" and insert the word "drivers."

The question was taken, and the amendment was agreed to. The Clerk read as follows:

For car fare and bicycle allowance, \$565,000.

Mr. MOON. Mr. Chairman, I move to strike out, in line 1, page 18, after the word "fare," the words "and bicycles."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 18, line 1, strike out the words "and bicycles."

Mr. MANN. May I ask the gentleman the reason for this?

Mr. MOON. Yes; the reason for this is, the bicycle allowance is covered in another item.

Mr. MANN. Does the amount remain the same?

Mr. MOON. The amount is reduced.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For per diem allowance of 2 assistant superintendents, while actually traveling on official business away from their home, their official domicile, and their headquarters, at a rate to be fixed by the Postmaster General, not to exceed \$3 per day, and for their necessary official expenses not covered by their per diem allowance, not exceeding \$500; in all, \$2,660.

Mr. MOON. Mr. Chairman, I move to amend by striking out "\$2,660" and inserting in lieu thereof "\$2,120."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 22, in line 7, by striking out "\$2,660" and inserting "\$2,120."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For inland transportation of mail by electric and cable cars, \$851,000.

Mr. MOON. Mr. Chairman, I move at this point to strike out "\$851,000" and insert "\$845,000."

The CHAIRMAN. Will the gentleman withhold his amendment until after the Clerk finishes the reading of the paragraph?

Mr. MOON. I thought on yesterday a ruling was made that we should stop before the proviso, although at that time I thought the better practice was to conclude the reading of the paragraph.

The CHAIRMAN. This appears to be a little different case, if the gentleman will pardon the Chair, the Clerk will finish the reading of the paragraph, and then the gentleman can offer his amendment.

The Clerk read as follows:

For inland transportation of mail by electric and cable cars, \$851,000: *Provided*, That the rate of compensation to be paid per mile shall not exceed the rate now paid to companies performing such service, except

that the Postmaster General, in cases where the quantity of mail is large and the number of exchange points numerous, may, in his discretion, authorize payment for closed-pouch service at a rate per mile not to exceed one-third above the rate per mile now paid for closed-pouch service; and for mail cars and apartments carrying the mails, not to exceed the rate of 1 cent per linear foot per car-mile of travel: *Provided further*, That the rates for electric car service on routes over 20 miles in length outside of cities shall not exceed the rates paid for service on steam railroads: *Provided, however*, That not to exceed \$15,000 of the sum hereby appropriated may be expended, in the discretion of the Postmaster General, where unusual conditions exist or where such service will be more expeditious and efficient and at no greater cost than otherwise, and not to exceed \$100,000 of this appropriation may be expended for regulation screen or motor screen wagon service which may be authorized in lieu of electric or cable car service.

Mr. MOON. Mr. Chairman, I move to amend, line 9, page 22, by striking out the figures "\$851,000" and inserting in lieu thereof "\$845,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 22, amend, in line 9, by striking out "\$851,000" and inserting "\$845,000."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The appropriation for two delegates to the International Postal Union at Madrid to be appointed by the Postmaster General from the Post Office Department, made by the act of August 24, 1912, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes, is hereby continued and shall be available for such convention when it shall be held.

Mr. FOSTER. Mr. Chairman, I reserve a point of order on the paragraph. What does this International Postal Union propose to do?

Mr. MOON. It proposes to make agreements and conventions in reference to transportation of mails, postage, and interchange of mails between the respective countries participants in such conventions, and many other things that pertain to the foreign postal service.

Mr. FOSTER. Well, how much appropriation was made in 1912?

Mr. MOON. Five thousand dollars.

Mr. FOSTER. How much has been used?

Mr. MOON. Why, there has not been any convention held, and there may not be any the next time.

Mr. FOSTER. And this is to make arrangement between this country and foreign countries—

Mr. MOON. Yes; in the event the war ends.

Mr. MANN. Mr. Chairman, my colleague from Illinois will recall that two years ago there was a contest over this, and we reduced the amount of appropriation proposed from \$10,000 to \$5,000.

Mr. FOSTER. That is my recollection.

Mr. MANN. And \$5,000 is all right for the convention if held.

Mr. FOSTER. So we have not spent any of the money?

Mr. MOON. None; we have not had a convention.

Mr. MADDEN. Mr. Chairman, I would like to say further, in reply to my colleague's question, that these conventions have fixed the postal rate between all the members of the union, and unless we are in the union we can not get advantage of the rates that are fixed by the Postal Union.

Mr. FOSTER. Mr. Chairman, I withdraw the point of order.

The Clerk read as follows:

For travel and miscellaneous expenses in the Postal Service, office of the Second Assistant Postmaster General, \$1,000.

Mr. CULLOP. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question for information. Is there any provision in here regarding terminals for circularized matter? I have had a good deal of complaint about the sending of circulars through the mail on account of the delay in getting them to their destinations.

Mr. MOON. I do not know of any provision of that sort.

Mr. CULLOP. As I understand it, there has been some new regulation made by which circulars sent out either pass directly through the town or city for which they are intended and to which they are addressed to a terminal, and there a redistribution takes place, and in that way the distribution of these through the mails is very much delayed, to the great inconvenience and sometimes injury to the patrons of the service.

Mr. MOON. That would be purely an administrative proposition, of which this committee would not take cognizance unless it was brought expressly before it. I know of no complaint of that kind before the committee.

Mr. CULLOP. Well, I did not know whether there was any provision in this bill for the regulation of that matter or not.

Mr. MOON. No.

Mr. CULLOP. From the complaints I have received from the patrons of the department, it seems to me that there ought to be some change made in the regulations regarding this service. As I understand it now, terminals are established over the coun-

try for the purpose of handling the circularized matter that is sent out from the wholesale houses and other businesses which circularize the country, which very much delays the distribution.

Mr. MOON. The gentleman may be speaking of the general terminal service that is supplied in a great many cities, and not merely to circulars, but to all classes of mail.

Mr. CULLOP. This seems to have applied largely to the mail for circulars. For instance, I had a letter the other day in which it was stated that the circulars sent out for a certain meeting of importance passed through the town on to the terminal, were stored away there some time for redistribution and for retransportation, an additional cost, and they arrived at their destination three days after the convention was over and too late for use.

Mr. MOON. That is a matter for the department.

Mr. CULLOP. Is that kind of practice going on in the service? It seems to me it ought to be regulated in some way, or at least stopped, so that the people would have prompt service for which they pay. I have been looking through this bill to see if there is anything on that subject and have failed to find anything, and consequently I ask the chairman of the committee for information on the subject.

Mr. MOON. I would say to the gentleman there is nothing in the bill on that subject of which I am aware. I never heard the question presented before.

Mr. CULLOP. I could show the gentleman, I think, some pretty strong letters condemning the matter very thoroughly and, further, showing an improvement should be made in this branch of the service, in order that it fulfill the requirements of the public and serve the convenience of the people who pay for the service. The efficiency of this department should be zealously guarded, and wherever improvement can be made it should be done and opportunity for criticism removed.

Mr. STEENERSON. Mr. Chairman, I move to strike out the last word.

In reference to the matter spoken of by the gentleman from Indiana [Mr. CULLOP] I have, contrary to the experience of the chairman of the committee, received many complaints concerning the matter of delayed distribution of mail.

Mr. MOON. I have no doubt of that. However, I have not had them.

Mr. STEENERSON. I have heard of complaints that the distribution of mail has been delayed in the different terminal offices. Now, the cause for that, I will say to the gentleman from Indiana, so far as I can learn, arises from the efforts of the Post Office Department to save space in the railway post-office cars. It is a fact that since the addition of parcel post to the mails a great deal of space is required, and if all the space that they could conveniently use were allowed for distributing mail en route, then the railway post-office car service would be greatly augmented. This would add expense. But in order to overcome that tendency which has developed by reason of the parcel post the department has made an effort to do the distributing in place of having it done on the moving cars, in the terminals. It has been a subject of complaint in the large cities, like St. Paul, Minneapolis, and Chicago. In one instance, in Chicago, circulars which, for instance, announced an event for the 10th of the month, had been mailed on the 5th and not distributed until after the event.

Mr. CULLOP. Will the gentleman permit an interruption there?

Mr. STEENERSON. Certainly.

Mr. CULLOP. In inaugurating that system the department, I should think, would economize very much, because they are hauling, in many instances, this matter addressed to some town and through it to some terminal. It is there stowed away and in the course of business redistributed, hauled back part of the way over the same road, for which the Government has to pay, to the town to which it was addressed, and has been delayed, in many instances, several days, and both the work and the expenses multiplied for handling it; whereas if they had the distribution of it in the car and would drop the matter at the destination to which it was addressed they would save that expense of duplicating the hauling and the handling.

Mr. STEENERSON. That is a matter of administration. There is no doubt but there is a great deal of delay since the addition of the parcel post, because of the distribution in the terminals.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. STEENERSON. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STEENERSON. There is nothing in the paragraph under consideration relating to this matter, because that relates entirely to a different subject.

Mr. CULLOP. I did not contend there was anything in this paragraph, but I asked for information on the subject, and desired to call the attention of the committee to the service, about which there is a great deal of complaint.

Now, while we are on that subject, I want to call the gentleman's attention to another matter. A great many complaints have been made lately about losing parcel-post packages in transportation. I have had a number of those recently, in which they seem to have been lost—at least they did not reach their destination. They were either lost or stolen. Has the gentleman any complaints of that kind?

Mr. STEENERSON. Well, I want to finish what I have to say on the other matter first. There is nothing in this paragraph, but it is important that we should consider this feature of administration. The committee did not deem it necessary to provide any new legislation to remedy the defect, because it can be remedied by administrative action. If they will authorize or order sufficient distributing space in railway post-office cars, the distribution need not be delayed. But it is a fact, as stated by the gentleman from Indiana, that there is considerable complaint on this score.

As to the loss of packages, of course that is an incident to the business, and the parties have the right to insure them. It does not require any legislation. That is all I have to say.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL.

For pay of letter carriers, substitutes for carriers on annual leave, clerks in charge of substations, and tolls and ferrage, Rural Delivery Service, \$54,700,000: *Provided*, That not to exceed \$20,000 of the amount hereby appropriated may be used for compensation of clerks in charge of substations: *Provided further*, That for experimental purposes, under such regulations as he may prescribe, the Postmaster General is authorized to advertise for proposals and to enter into contracts with the lowest responsible bidders for a period of not exceeding four years, for performing service on rural routes in one county in each State, and to pay for the same out of the amount hereby appropriated.

Mr. MOON. Mr. Chairman—

Mr. CANDLER of Mississippi. Mr. Chairman—

The CHAIRMAN. The gentleman from Tennessee [Mr. Moon] is recognized.

Mr. MANN. Mr. Chairman, I reserve a point of order.

Mr. MOON. I am making the point of order. The gentleman from Mississippi [Mr. CANDLER] need not bother himself about that. I have the floor.

Mr. MANN. The gentleman has not the floor on the point of order. I make the point of order.

Mr. MOON. I make the point of order. That is what I rose for, exactly. I make the point of order on that part of the section commencing on line 13 with "*Provided further*," and the balance of the paragraph. That is subject to a point of order. The rule does not cover it, and I do not care to discuss the question, but ask that it be stricken out.

The CHAIRMAN. The gentleman from Tennessee [Mr. Moon] makes the point of order on the language pending in the bill, on page 25, line 13, commencing with the words "*Provided further*," to the end of the paragraph. The Chair thinks the language is subject to a point of order. It is new legislation.

Mr. CANDLER of Mississippi. Mr. Chairman, I move to strike out the last word just simply to remark that I rose for the purpose of making that point of order, and the gentleman from Tennessee was recognized and started to make some remarks. I did not know whether he was going to make a point of order or not, and therefore I insisted on the point of order, and he said I need not trouble about it, that he was going to make it, and, of course, that was satisfactory.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For inland transportation by star routes (excepting service in Alaska), including temporary service to newly established offices, \$9,000,000: *Provided*, That no part of this appropriation shall be expended for continuance of any star-route service the patronage of which shall be served entirely by the extension of Rural Delivery Service, nor shall any of said sum be expended for the establishment of new star-route service for a patronage which is already entirely served by Rural Delivery Service.

Mr. JOHNSON of Washington. Mr. Chairman, I have an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Washington [Mr. Johnson] offers an amendment which the Clerk will report.

The Clerk read as follows:

Amend, on page 25, line 22, after the word "offices," by striking out "\$9,000,000" and inserting "\$9,100,000," with the proviso: "*Provided*, That out of this appropriation the Postmaster General is authorized to provide difficult experimental or emergency mail service in

mountainous States in such manner as he may deem advisable without advertising therefor."

Mr. MOON. Mr. Chairman, I reserve a point of order on that. The CHAIRMAN. The gentleman from Tennessee [Mr. Moon] reserves a point of order on the amendment.

Mr. JOHNSON of Washington. Mr. Chairman, this amendment adds \$100,000 to the general appropriation to provide for certain emergencies for star routes, and in doing so it follows the language in this bill by which some freedom is allowed in arranging for a mail service in Alaska.

During the general debate I told of several routes which had collapsed on account of the weight of parcel-post matter sent in from the outside. Various offers have been made to the Post Office Department to revive, maintain, and serve these routes in the mountainous country. In one case I understand the Forest Service maintains, over the very road where the post-office people can not maintain a route, a pack-horse train at regular intervals, paying for the use of horses \$1 each and feed, and to the owner of the horses \$75 a month, and to the driver or leader of the pack train \$60 a month. Now, here comes a man with an offer to revive the mail service along that very route for less than the rates paid by the Forest Service. He offers to convey the mail for \$60 a month and 50 cents a day and feed per horse required. That is \$15 less than is paid for the man owning the horse, and 50 cents a day less for each horse, and he agrees to use only as many horses as the parcel-post business which has to be done may require. That must not be done by experimental arrangement.

Mr. MANN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Washington yield to the gentleman from Illinois?

Mr. JOHNSON of Washington. Yes; certainly.

Mr. MANN. Is this parcel post carried at a profit or at a loss to the Government?

Mr. JOHNSON of Washington. It is carried almost invariably at a loss.

Mr. MANN. Does the gentleman think it necessary for the Government to provide sufficient means to carry into a mountainous country like that all of the supplies that are carried under the guise of parcel post where it will cost probably twenty times as much to carry as the Government receives from it?

Mr. JOHNSON of Washington. I certainly do. If the parcel post is established on a 50-pound basis, and the bulk of it originates in a city, and the people in nonsparingly settled districts have the benefit of that service, certainly the people in the sparsely settled districts should also have the benefit of the same service.

Mr. MANN. Oh, well, the people in the nonsparingly settled districts or in the thickly settled districts are not asking for an exception to be made to the general rule.

Mr. JOHNSON of Washington. No.

Mr. MANN. Now, if the Government is carrying these parcels out there—which means practically all the supplies they get there—a man who lives upon the top of a mountain would be foolish if he were to refuse to let the Government carry his supplies up to him for one twenty-fifth of what it costs him to do it. Should he furnish the rule by which he should secure both mail service and supplies? Should he not be compelled to choose between the two?

Mr. JOHNSON of Washington. He gets no mail service of any other kind.

Mr. MANN. It is because of his attitude on the parcel post, because he wants his supplies taken up.

If you were to let this work out by contract under such circumstances, the Government will carry all supplies to all portions of the country where it is very expensive to take them. Perhaps that is what the Government will be brought to eventually, but I doubt whether you will ever get the chance to do it without letting a contract.

Mr. JOHNSON of Washington. Now, will the gentleman allow me in turn to ask him a question?

Mr. MANN. Yes.

Mr. JOHNSON of Washington. How does the Post Office Department now go about it in arranging for carrying parcel post at 2 cents a pound in addition to paying on a bid contract for carrying the rest of the mail?

Mr. MANN. I do not know that there is anything in the law that forbids it. If there is, I do not know.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. JOHNSON of Washington. I desire two minutes more. I want to call the attention of gentlemen who come from some of the larger cities to the fact that one of the things that

breaks down the parcel post in these outlying districts is the sending out of mail-order catalogues, each one of which weighs as much as a brick, thereby inducing these people in the far-off districts to send off their money in payment for more mail packages which come back and further break down the service.

Mr. FOWLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FOWLER. I make the point of order, Mr. Chairman, that the gentleman is not proceeding in order. I ask unanimous consent that the gentleman may proceed in order for two minutes.

The CHAIRMAN. The gentleman from Illinois [Mr. Fowler] asks unanimous consent that the gentleman from Washington [Mr. Johnson] may proceed for two minutes. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Now, Mr. Chairman, I have presented the amendment to this paragraph in good faith. It carries the same verbiage as the bill carries for the benefit of Alaska, and it has reference to a district that is 20,000 square miles in extent, the remote portions of which are entitled to the maintenance of their star routes so they may receive letters and papers. The residence there did not invent the parcel post and they are not responsible for the collapse of several routes.

Mr. MOORE. Mr. Chairman, will the gentleman yield to me for a question?

The CHAIRMAN. Does the gentleman from Washington yield to the gentleman from Pennsylvania?

Mr. JOHNSON of Washington. Yes.

Mr. MOORE. Is the business that goes into that section drummed up by the mail-order houses or does it originate there?

Mr. JOHNSON of Washington. It is drummed up by the mail-order houses, of course.

Mr. MOORE. If the mail-carrying business is conducted at a loss, as the gentleman indicates, two parties are getting the benefit of it—the mail-order house and the persons to whom the packages are delivered.

Mr. JOHNSON of Washington. Yes; and on top of that the Government owns half of the property and resources out there, which further deprives these people of a chance to develop their localities.

Mr. MOORE. Is there no other way by which the people can get their supplies? Are there no local stores or agencies, or do they require these mail-order supplies in order to exist?

Mr. JOHNSON of Washington. There are small but good stores away out, we will say, 30 miles from the railroad, originally doing a fair sort of business and carrying a fair stock. The parcel post has in many cases greatly reduced their business, so that a storekeeper who was doing a business of \$50,000 a year has had his business reduced to \$20,000 or even \$15,000 a year.

Mr. MOORE. Ought we not to have some consideration for that local storekeeper?

Mr. JOHNSON of Washington. I think so; and I think the United States is big enough so that its mail service ought not to be carried with the intention of endeavoring to show a profit. I believe that the far-off man on a rural route is entitled to his parcel-post service the same as he was entitled to his letters before the parcel post broke down the whole mail service on certain of these routes.

Mr. MANN. The gentleman from Washington [Mr. Johnson] referred to the carrying of mail-order catalogues, and I think it is worth while to make an observation on the subject.

Mail-order catalogues are third-class matter. They are very large and very heavy. The gentleman from Washington said that one would weigh as much as a brick. Well, I am inclined to think it would be a lightweight brick that would compare with a mail-order catalogue. These catalogues were not included in the parcel-post law. I was one of those who insisted in private that the parcel-post law should not be so drawn as to include the mail-order house catalogues. I thought the mail-order houses were getting enough benefit out of the parcel-post law without reducing the cost to them of carrying their catalogues over the country at the expense of the Post Office Department. I think it used to cost almost 40 cents in postage to carry one of these heavy catalogues of a big mail-order house as third-class matter.

Under the construction which Postmaster General Burleson made of the parcel-post law he issued an order covering third-class matter into the parcel post. What is now being done is that the mail-order houses, instead of sending their catalogues from their home city and paying even parcel-post rates on them,

which would be considerably less than the third-class rate, are sending them by freight to different parts of the country, so that they get the local parcel-post rate; and where the Government used to get in the neighborhood of 40 cents for carrying a catalogue it now carries it for, I think, 2 or 3 cents.

Mr. JOHNSON of Washington. Will the gentleman yield for a question?

Mr. MANN. Yes.

Mr. JOHNSON of Washington. Is it not a fact that the great mail-order houses do the same thing in the distribution of merchandise by mail—shipping it in carload lots by freight to distributing points, like Seattle, for instance?

Mr. MANN. They did not ship it otherwise before the parcel-post law was passed. Here is a plain discrimination in the interest of the mail-order houses. Though I do not think that was the intention of the Post Office Department, that is the result, because now they send their catalogues at a cost very much below what it was before and the Government practically loses all the money which it formerly received, which was a very large amount.

Mr. SAMUEL W. SMITH. Can the gentleman give us any idea how much the Government has lost?

Mr. MANN. I have not computed it. I do not know. Of course the mail-order houses are in my town. I am not attacking them.

Mr. SAMUEL W. SMITH. I did not know but the gentleman had an idea how much the Government was losing by this.

Mr. MOON. Mr. Chairman, I make a point of order on the amendment offered by the gentleman from Washington.

The CHAIRMAN. The gentleman from Tennessee makes a point of order on the amendment offered by the gentleman from Washington.

Mr. STEENERSON. Mr. Chairman, I ask for one minute.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to proceed for one minute. Is there objection? There was no objection.

Mr. STEENERSON. Mr. Chairman, in answer to the gentleman from Illinois I wish to say that the Assistant Postmaster General in charge of this matter stated at the hearing that instead of it costing the Government more by reason of the catalogues being withdrawn from the mail and shipped by freight it was gaining by it. It was a saving to the Government, because it reduces the railway mail pay very largely, and he said the saving in that way was more than enough to make up for the loss of postage on the catalogues.

Mr. SAMUEL W. SMITH. How much did he say they were making on it?

Mr. STEENERSON. He did not go into details, but he stated that the saving in railway mail pay would more than make up for the lost postage.

Mr. MANN. Mr. Chairman, I ask unanimous consent for one minute.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. MANN. That statement is not correct as compared with the mail-order catalogues treated as third-class matter. Everyone familiar with the Post Office Department knows that the third-class matter has always more than paid its way. Taking mail-order catalogues out of third-class matter and authorizing them to be sent at parcel-post rates and sent as they are now sent very greatly reduces the income of the Government without any corresponding reduction of the expenses of the Government, and if the First Assistant Postmaster General or any other Assistant Postmaster General states to the contrary he does not know anything about it.

Mr. MOON. Mr. Chairman, I insist on the point of order.

The CHAIRMAN. The gentleman from Tennessee makes the point of order against the amendment. The Chair thinks that it provides for a service not provided for by law, and therefore the point of order is sustained.

The Clerk read as follows:

For experimental village delivery service in towns and villages having post offices of the second or third class, \$200,000.

Mr. CULLOP. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee concerning the paragraph just read. Under this bill, as I understand it, because of the provision on page 16, the proviso that in the disbursement of this appropriation no employee shall be paid at a rate higher than \$600 per annum, then the man who delivers the mail in the experimental delivery service of towns and villages can not receive a compensation of more than \$600 per year, or \$50 a month.

Mr. MOON. I do not think that has any relation to the subject at all.

Mr. CULLOP. I understand that is the highest compensation that can be paid for such service.

Mr. MOON. The gentleman is speaking of the proviso with relation to compensation of clerical service in third-class offices. This is an entirely new proposition.

Mr. CULLOP. Some time ago I had established in a town in my district a village delivery system. When it came to getting some one to perform the duties of carrier to distribute the mail the department said that under the provision of the Post Office bill the man could not receive a compensation of more than \$50 a month. Certainly no one will contend that a man who can perform that service is not worth more than \$50 a month, and a compensation of that kind is wholly inadequate.

In this case I have in mind they were unable to get a man to perform the duties at that compensation. I know of no other provision controlling it than the one I have just read, because he is an employee in that office, is under the jurisdiction of that office for which he makes the delivery, and the proviso in this section applies to the third-class offices, and simply makes it impossible for him to be paid more than \$50 a month for that service. The carriers are employees of the offices in a sense, as I understand, by construction of law with reference to that matter; and if that be true that he can not receive more than \$50 a month, this provision for trial delivery in post offices of the second and third class is a failure. It could not be made workable, for the reason that the compensation is such that no man able to perform the duties will accept the position. I would like to know if there is any other provision that regulates the pay of these men engaged in delivery work.

Mr. MOON. I do not think the matter has any relation one to the other at all. This is an experimental fund, separate and distinct from all others, to provide for a service in the towns and villages for post offices of the second and third class, and \$200,000 is appropriated for that purpose. The Postmaster General can use the fund at any place he sees fit, and I think he could make compensation regardless of the section to which the gentleman refers. Whether the Postmaster General does or not, I can not inform the gentleman from Indiana, but I do know that under this provision it is the purpose of the department, as I am advised, to use the rural letter carrier for the performance of this duty—to throw these villages into the position of a rural route, and the routes will be changed in length in accordance with the services performed, so as to get a proper length of route and get the pay allowed under the statute.

Mr. CULLOP. I would like to state to the gentleman from Tennessee that if that is the proposed plan you might as well abolish the attempt to have a village delivery, for the reason that in these villages they ought to have two or three deliveries a day. Mails coming to business men require prompt delivery, and they either ought to have a reasonable number of deliveries, or they ought to have none, so that they can go to the office and get their own mail. If we were to have only one delivery by a rural carrier who makes his trip out in the morning and back in the afternoon, the people will get no benefit from it.

Mr. MOON. You can have two deliveries a day, which is sufficient in any town or village.

Mr. CULLOP. It may be and it may not be. Mails coming to and going out of town must determine the necessity of the number of deliveries as well as the times of arrival and departure of the mails.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. CULLOP. I ask unanimous consent that I may proceed for five minutes more.

There was no objection.

Mr. MOON. I want to state to the gentleman from Indiana that this is purely an experimental proposition. It is not sufficiently developed to determine whether the service will be justified or not. It may be and it may not. The sum of money is to be used the best way that the department can determine and get the most feasible means of carrying on this work for that class of people who do not now have the benefit of a city delivery or rural delivery. It is under the experimental proposition and definite plans can not well be established.

Mr. CULLOP. Well, certainly the gentleman from Tennessee will agree that if the pay of these men is limited to \$50 a month, or \$600 a year, you will not have any experimental service. You will not get the opportunity to try it out as is desired, for the reason that you can not get competent men to do the work for that sum of money. No one can afford to accept the position on any such meager compensation as that.

Mr. SAMUEL W. SMITH. Will the gentleman yield?

Mr. CULLOP. Certainly.

Mr. SAMUEL W. SMITH. Where does the gentleman get the information that they are limited to \$600?

Mr. CULLOP. Well, from the one established in my district, where the postmaster was instructed to select a man for carrying the mail or making the delivery, and he was instructed that the department would only pay \$50 a month. The postmaster could not find a man competent for the place who would accept it for that compensation.

Mr. SAMUEL W. SMITH. Was that experimental?

Mr. CULLOP. Yes; that was to establish a village delivery system. It is perfectly needless to talk about getting men to perform such a service for \$50 a month. The laborer ought to be worthy of his hire, and he ought to have a reasonable compensation for the service that he renders.

Mr. RUBEY. If the gentleman from Indiana will pardon me, I want to say that we have an experimental service in my own town, where the carrier receives more than \$50 a month; I think he receives \$60 or \$70 a month.

Mr. CULLOP. Mr. Chairman, in the instance I speak of, one that has come under my own observation, the postmaster was instructed that he could not pay more than \$50 a month. He promptly wrote to me that he could not get a man to perform the service for that price. It was in a mining territory. There are large coal interests there. The mails are heavy and wages are high. The men employed in the mines get large pay, and consequently he could find no man suitable for this position at \$50 a month. That is not sufficient pay for this work. It ought to be a larger compensation.

Mr. GOULDEN. What is the population in this town?

Mr. CULLOP. Thirty-five hundred.

Mr. GOULDEN. And that in the town of the gentleman from Missouri is twenty-five hundred.

Mr. CULLOP. The population of the place I refer to is thirty-five hundred. It is a rapidly growing town, where there are large mining interests and great mercantile business.

Mr. MOON. Mr. Chairman, I want to say that there is no limitation fixed by law for compensation for services under this experimental proposition. The trouble with the gentleman is not with the law, but he would better wrestle with the Postmaster General and get a little more money for his man.

Mr. CULLOP. I undertake to say that under the construction of this proviso on page 15 of this bill a basis can be found to construe it to apply to this very matter. While it says that in the disbursement of this appropriation no employee shall be paid at a rate higher than \$600 per annum, that will or may be construed to apply to this very kind of service, and if it is so construed, then this man can not get a larger salary than \$50 a month for this work, which is wholly inadequate. I do not know whether the construction would actually hold good, if tested; but as long as the Post Office Department exercises its right to so construe it the other party is helpless to get away from that construction. I insist that it is wrong. If it is to be held to apply, then all can see it is an instrument of harm rather than benefit.

Mr. MOON. Mr. Chairman, I dislike to see my friend put himself in a bad attitude here. I have insisted from the beginning, as a matter of legal construction, that his proposition is different from the proposition that is before us. Here is the report of the department for village-delivery service in operation December 1, 1914. The gentleman has a town called Garrett in Indiana, has he not?

Mr. CULLOP. Yes; but it is not in my district.

Mr. MOON. They pay that carrier \$700 a year.

Mr. CULLOP. Look at the town of Jasonville, which is in my district, and see what they pay him there.

Mr. MOON. Jasonville has probably less population than the other.

Mr. CULLOP. No; Jasonville is a town of 3,500 population. Mr. MOON. Jasonville, \$600. There is another place in Indiana where they have two carriers, \$1,200.

Mr. CULLOP. The Jasonville carrier is paid at the rate of \$600, which is wholly inadequate.

Mr. MOON. But that is a matter of complaint with the department. If the gentleman wants more money, he should go down and get it. It is there.

Mr. CULLOP. But suppose they do not give it to me? The result is the public suffers. [Laughter.]

Mr. MOON. Then the gentleman is in bad luck. In every State in the Union where this service is in force there are places where the compensation is more than \$600.

Mr. SAMUEL W. SMITH. Mr. Chairman, will the gentleman yield?

Mr. MOON. Yes.

Mr. SAMUEL W. SMITH. Would the gentleman oppose an amendment increasing the appropriation beyond \$200,000, as provided for in the bill?

Mr. MOON. Yes. I can not agree to any increase. This is purely experimental, and I think we ought to have the final report on the experimental service and determine whether it is effectual or abandon the experimental proposition.

Mr. SAMUEL W. SMITH. Can the gentleman state when that report is expected?

Mr. MOON. I can not say; but I should say that we ought to have it before a great while.

Mr. JOHNSON of Washington. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, on page 26, line 5, by striking out all of lines 5, 6, and 7.

Mr. JOHNSON of Washington. Mr. Chairman, the argument that we have just heard shows that this experimental rural service in villages is largely unnecessary. We decide we can not have routes in mountainous countries, so why go on with an experiment in villages at a cost of \$200,000, when there is a general demand that the United States save every penny of its income? Here is a chance to save \$200,000.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For rental and purchase of canceling machines and baling presses, including cost of power in rented buildings, motors, repairs to motors, and miscellaneous expenses of installation and operation, \$300,000.

Mr. TUTTLE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, on page 29, line 6, after the word "operation," by striking out "\$300,000" and inserting "\$325,000."

Mr. TUTTLE. Mr. Chairman, this is in the interest of economy, because this additional \$25,000 is required for the purchase of baling presses to supply first and second class post offices in the country. The committee favor this addition, and undoubtedly a great saving will result.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. TUTTLE. Yes.

Mr. MANN. I notice the item for baling presses. I really do not know what a baling press is in a post office. Will the gentleman explain it?

Mr. TUTTLE. It appears that the waste paper which accumulates in the post offices at the present time is either given away, burned, or otherwise not accounted for. It will bring about 12 cents a hundred pounds not baled, but if baled the price will be from 24 to 35 cents a hundred pounds. In Chicago it is as high as 45 cents a hundred. These baling presses are in use commercially by most of the large stores and industrial concerns. They may be operated by the laborers, and cost from \$15 up. Those now installed in the post offices, I think, average about \$22 apiece, but there are only 146 of them in the service.

The Fourth Assistant Postmaster General estimates that \$25,000 will equip the first and second class post offices of the country and will undoubtedly result in a saving of from \$100,000 to \$200,000.

Mr. FOSTER. Mr. Chairman, just a moment. I would like to ask the gentleman from New Jersey a question. I see this item contains a provision for buying of canceling machines. Can the gentleman inform us what the department is doing in reference to buying canceling machines or whether they are going ahead and renting machines at the present time?

Mr. TUTTLE. I regret I can not inform the gentleman. Maybe the chairman can do so.

Mr. MOON. They are buying most of them.

Mr. FOSTER. I mean the little hand machines which the Government rents for, I think, something like \$90 apiece per annum. As I understand, Congress has fixed the maximum price that can be paid for canceling machines at \$270?

Mr. MOON. That is the gentleman's own amendment.

Mr. FOSTER. That is the reason I am asking how they are getting along.

Mr. MOON. They are getting along very well. They have been renting them, but now they have reached the point where they think it is better for them to buy them.

Mr. FOSTER. So I now understand they are buying these machines instead of renting them.

Mr. MOON. Yes; they are buying them.

Mr. MADDEN. They are running them themselves, and they are getting along much better.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The question was taken, and the amendment was agreed to. The Clerk read as follows:

That if the revenues of the Post Office Department shall be insufficient to meet the appropriations made by this act, a sum equal to such deficiency of the revenue of said department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply said deficiencies in the revenues for the Post Office Department for the year ending June 30, 1915, and the sum needed may be advanced to the Post Office Department upon requisition of the Postmaster General.

Mr. MANN. Mr. Chairman, I would suggest to the gentleman from Tennessee that he has the wrong fiscal year named in this paragraph, which provides for paying out of the revenues a deficiency for the fiscal year ending June 30, 1915. It should be 1916.

Mr. MOON. Mr. Chairman, I am obliged to the gentleman. That is a mistake in printing. I move to amend by inserting "16" instead of "15."

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

On page 30, line 18, strike out "15" and insert "16."

The question was taken, and the amendment was agreed to. The Clerk read as follows:

SEC. 3. That hereafter the Postmaster General may establish, under such rules and regulations as he may prescribe, one or more branch offices, nonaccounting offices, or stations of any post office for the transaction of such postal business as may be required for the convenience of the public.

Mr. MANN. Mr. Chairman, I move to strike out the last word. What is the meaning of this section, may I ask, in reference to the establishment of branch offices, nonaccounting offices, and so forth? Also, what is the meaning in connection with the next section? Some one stated on the floor here the other day that under this section 3 it would be possible for the Postmaster General to abolish all offices in a county except one post office, and have the others as branch offices, which might be quite an economy.

Mr. MADDEN. Mr. Chairman, I can state to my colleague in answer to the question that from the reply of the Assistant Postmaster General these nonaccounting branch offices were just contract stations.

Mr. MANN. But contract stations are already authorized and appropriated for, and this can not apply to contract stations, because they are authorized under existing law, and this bill carries an appropriation for that purpose.

Mr. MADDEN. That is what he said these were.

Mr. MANN. Then this has no place. I suppose the intention originally of this was to authorize in a city, say, Chicago, Boston, New York, or St. Louis, the abolishment of a post office that lies right adjacent to the city in order to establish a branch office there, as I think we did specifically at St. Louis and at Boston.

Mr. MADDEN. That is what the Postmaster General stated.

Mr. MANN. My colleague does not mean to say that there is not law now authorizing branch offices?

Mr. MADDEN. There is a law.

Mr. MANN. I mean the contract stations which we have had for many years and for which we carry an appropriation of \$1,200,000 in this bill.

Mr. MADDEN. Well, I think that there is a law which authorizes that, but that was the statement made by the Postmaster General, with the request that he be permitted to enter into a contract for four years instead of one year. The committee provided for two years, and I think it is provided for in a place earlier in the bill, where not only appropriation is made, but a provision is made that the Postmaster General may be authorized to contract for two years, and this provision of the bill is a duplication of the other.

Mr. MANN. Of course there is no objection to the provision whatever, although I would not want to see incorporated in a post-office bill a provision which authorizes the abolishment of all the post offices in a county except one without our knowing what was being done.

Mr. CULLOP. I would like to ask the gentleman from Illinois a question with reference to his construction of it. If I understood the gentleman correctly, he construed this provision to mean that the post office of a county seat might be a central office for a number of offices radiating around it, and then such offices could be abolished and made substations to it.

Mr. MANN. I did not construe the section at all. I was trying to get a construction of the section. I said some one said on the floor the other day that this provision would authorize that. I was trying to ascertain if that was the purpose.

Mr. CULLOP. And then centralize the operation more than it is now if such could be the construction of this provision.

Does anybody know just exactly what this provision is intended to do and the purpose of it?

Mr. MANN. I plead not guilty myself.

Mr. CULLOP. I would like to find out from some one, if possible, its real purpose.

Mr. MOON. There are certain legal restrictions imposed on the establishment of stations and branch offices and nonaccounting offices, if there is any authority now expressly for nonaccounting offices, and these restrictions the Post Office Department would like to remove as far as possible and give more latitude to the Postmaster General in the establishment of branch offices and nonaccounting offices and stations. In other words, to be clear about the matter, it is to give a freer hand to the Postmaster General in connection with all of this work.

Mr. CULLOP. I would like to ask the chairman a question if he will permit me. Is it intended that this shall be construed so as to do away with independent offices and make them substations to some central office in a given territory or locality?

Mr. MOON. That power exists now. It is done every day or two.

Mr. CULLOP. That is done as to very small offices.

Mr. MOON. It is done in big ones, too.

Mr. CULLOP. Is that the purpose of this provision?

Mr. MOON. No; that is not the purpose of that particularly, because that power exists now, but there are restrictions which they insist are placed, that I do not now recall, upon the exercise of this power in the establishment and maintenance of a substation or a station, and I believe there is no authority now for the nonaccounting station, and it is this power that the administration asks for.

Mr. CULLOP. What do you mean by nonaccounting offices?

Mr. MOON. That word is subject to one or more constructions, perhaps. Generally what I understand by a nonaccounting office is where a fourth-class office buys all of its supplies, pays for them, or gives bond for them, and they take the receipts of the office, and they do not send in its monthly accounts or its quarterly accounts or annual accounts.

Mr. MANN. Are not now the nonaccounting offices those that do not account directly to the Post Office Department, but only to the postmaster of the town in which they are located?

Mr. MOON. They do account and they must account for the supplies they get.

Mr. MANN. They account to the postmaster. He makes the account to the Post Office Department. They do not account directly to the Post Office Department.

Mr. MOON. They do not account to the Postmaster General, you mean? That is true.

Mr. MANN. I think that is the distinction.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 4. That hereafter the Postmaster General may enter into contracts for the conduct of such stations for a term not exceeding four years.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Section 4 reads:

That hereafter the Postmaster General may enter into contracts for the conduct of such stations for a term not exceeding four years.

I assume the words "such stations" were intended to apply to the preceding section; but if so, is not there a conflict, and is there not a conflict, anyhow? On the bottom of page 15 you provide that the postmaster may enter into a contract for a term of two years for a contract station. Now, you provide that he may enter into a contract for four years for these stations. And I think the stations are the same stations.

Mr. MOON. I will say to the gentleman that I have a memorandum on my desk here, which I made, to the effect that if this section was passed, which is on page 15, section 4 would be unnecessary.

Mr. MANN. I think it is unnecessary.

Mr. MOON. I move to strike out the section.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 31, strike out all of section 4.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 5. That on and after July 1, 1915, when the total compensation of any postmaster at a post office of the fourth class for four consecutive quarters shall amount to \$1,000, exclusive of commissions on money orders issued, and the receipts of such post office for the same period shall aggregate as much as \$1,900, the Auditor for the Post Office Department shall so report to the Postmaster General, who shall,

in pursuance of such report, assign such post office to its proper class, to become effective at the beginning of the next succeeding quarterly period, and fix the salary of the postmaster accordingly.

Mr. MANN. The word "postmaster," in line 23, page 31, should be changed to "postmaster." It is a typographical error.

The CHAIRMAN. Without objection, the amendment will be agreed to.

The amendment was agreed to.

The Clerk read as follows:

SEC. 10. That hereafter the Postmaster General may transfer, under such regulations as he may prescribe, clerks from post offices of the first and second classes to the Railway Mail Service at salaries not exceeding the salary which the clerks are receiving in the post offices at the time of such transfer, with the consent of the clerk.

Mr. REILLY of Connecticut. Mr. Chairman, I beg leave to offer an amendment, with the consent of the committee.

The CHAIRMAN. The gentleman from Connecticut offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 34, after the word "clerks," in line 5, insert the words "or carriers"; on the same page, in line 8, after the word "clerks," insert the words "or carriers"; and on the same page, in line 9, after the word "clerk," insert the words "or carrier."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Connecticut.

The amendment was agreed to.

The Clerk read as follows:

SEC. 11. That the Postmaster General is authorized and directed to readjust the compensation to be paid to railroad companies from the 30th day of June, 1915, or as soon thereafter as may be practicable, for the transportation and handling of the mails and furnishing facilities and services in connection therewith upon the conditions and at the rates hereinafter provided.

Mr. MOON. Mr. Chairman, page 34, line 12, I move to strike out the words "30th day of June" and insert in lieu thereof "1st day of July."

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 34, line 12, strike out the words "30th day of June" and insert in lieu thereof "1st day of July."

Mr. MANN. Is the gentleman sure about that amendment?

Mr. MOON. That amendment is recommended by the department, because the fiscal year begins then.

Mr. MANN. I know. This would be "from." "From" would not include the first day. You had better say "from and after the 30th day of June."

Mr. MOON. That is all right. I do not object to that amendment, inserting "from and after the 30th day of June." I ask unanimous consent to modify my amendment accordingly.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to modify his amendment. The Clerk will report the amendment as modified.

The Clerk read as follows:

Page 34, line 12, after the word "from," insert the words "and after."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In addition thereto he may allow not exceeding \$1 as an initial rate and the same as a terminal rate for each one-way trip of a 30-foot apartment car and 50 cents as an initial rate and the same as a terminal rate for each one-way trip of a 15-foot apartment car.

Mr. YOUNG of North Dakota. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from North Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 36, line 16, after the word "car," insert the following: "Provided, That the compensation now paid the railway companies operating lines with a total mileage of less than 90 miles for each one-way trip of a 15-foot apartment car shall not be less than they are now receiving."

Mr. MOON. Mr. Chairman, I reserve a point of order on that.

The CHAIRMAN. The gentleman from Tennessee (Mr. Moon) reserves a point of order on the amendment.

Mr. YOUNG of North Dakota. Mr. Chairman, my colleague from North Dakota [Mr. HELGESEN] is not on the floor at this moment. If here, I think he would like to present some such amendment as this. I have a letter here from the president of the Farmer's Grain & Shipping Co., which is a road owned by farmers in our State, and something like 80 miles long. He calls attention to the fact that if this bill is passed in the form in which it is now the compensation which they will receive will be only \$7.76 for each trip.

I would like to have this letter read. It is written by a man by the name of James M. Kelly, who is, as I say, the president of this farmer's company.

Mr. TUTTLE. Does that show the amount which they are receiving under the present act?

Mr. YOUNG of North Dakota. Yes; it does. It perhaps explains the situation better than I can, as I had not expected to present this matter. I regret that I have not had the opportunity to collect any information to speak of upon this subject. I ask, Mr. Chairman, that the letter be read.

The CHAIRMAN. The Clerk will read the letter.

The Clerk read as follows:

DEVILS LAKE, N. DAK., December 26, 1914.

Hon. GEORGE M. YOUNG,
House of Representatives, Washington, D. C.

DEAR SIR: Referring to H. R. 19906, by MOON, of Tennessee, I understand this bill has been added as a rider to the Post Office appropriation bill and has a good chance of passing the House, and I would like to call your attention to its effect on the revenues of a small road such as ours.

Since July 1, 1914, when our compensation for carrying the mails was increased on account of the increased weight of the mails which it was found we had been carrying, we have been receiving \$13.46 per day for carrying and delivering the mails along our line, furnishing a 15-foot apartment in a car for that purpose, which you will acknowledge is little enough compensation for hauling, heating, lighting, and the upkeep of a car, aside from the expense of delivering the mails at each of the post offices from the train. I don't think it would be possible for the Government to get this service performed by team for less than 25 cents per mile, which, in the case of our line, would amount to \$33 per day as against the \$13.46 we are receiving. And still the Moon bill proposes to pay us at the rate of 5½ cents per mile, which, with the additional weight compensation, would reduce our pay to \$7.76 per day. And in addition it proposes to penalize us at the rate of \$5,000 per day if we refuse to perform the service.

Up till now we could refuse to perform the service if the pay did not suit us, but on account of the great convenience it has been to our patrons to have the mail delivered promptly we have continued to give the service at considerable loss. But now to have our compensation, small as it was, cut almost in two, and on top of that to force us to do it whether we like it or not, is certainly reverting to the methods in vogue in the Dark Ages, and I hope that you will oppose this bill with your vote and influence. It is to be regretted that the Postmaster General seems inclined to follow the lead of his predecessor in trying to make a showing for his department and at the expense of railroads, and I believe that such a policy in connection with the past attitude of the Interstate Commerce Commission toward the railroads has more to do with the present depression in business than the change in our tariff laws.

I am, yours, sincerely,

JOS. M. KELLY.

Mr. YOUNG of North Dakota. Mr. Chairman, I hope that the chairman of the committee will not oppose this amendment. It may require to be changed somewhat in form. So far as I am personally concerned, I would be satisfied to have this matter left in the discretion of the Postmaster General.

It seems as though small roads of this kind, owned by farmers and others of limited means, where it was difficult for them to finance the company in the first instance and rather difficult to manage it with a minimum of expense, there should be some provision which would at least permit the Postmaster General to pay such roads at least the amounts that are now being paid to them under existing law.

Mr. TUTTLE. Mr. Chairman, I hope that no further amendments will be made to this particular section of the bill.

This section, as the House knows, constitutes the bill that was reported by the joint commission on compensation to the railroads for the transportation of mail. It has been amended by the House committee by giving additional discretion to the Postmaster General and in reducing the rates favored by the joint commission.

Mr. YOUNG of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. TUTTLE. Certainly.

Mr. YOUNG of North Dakota. If the report of that commission has been amended by the committee already in other respects, why not amend it also in this respect, to help out the farmers who own this road?

Mr. TUTTLE. Well, certainly any amendment of that kind should have a great deal of consideration before it is incorporated in this legislation. There will undoubtedly be cases of injustice, as there always have been; but I want to say to the gentlemen of the committee that this plan of paying the railroads is in the interest of the short-line railroads, of which the gentleman speaks. It remedies many kinds of injustice, and the commission, in framing the schedules, had them in mind and provided liberally for them. Undoubtedly there are railroads that have been greatly underpaid. Railroads are built under such varying conditions in different parts of the country, where distances and the character of business are so diverse that it would be impossible to treat each individual line with absolute fairness and justice. But this bill, I think, goes as far as possible at present in the interest of short-line railroads.

Mr. YOUNG of North Dakota. Mr. Chairman, will the gentleman again yield?

Mr. TUTTLE. Certainly.

Mr. YOUNG of North Dakota. In this particular instance there is no request for an increase; but the idea of these men is that they should be permitted to keep the compensation they are now receiving.

Mr. TUTTLE. Well, under any rearrangement that might be made the pay of some railroads will be reduced, as in the case here, and some of them will receive increased compensation, and, in the main, roads of this class are going to get the benefit of this legislation. The gentleman's amendment might possibly be advisable and justifiable, but it certainly should be carefully considered by the committee and by the House before it is incorporated in this bill.

Mr. YOUNG of North Dakota. One other question. Would not the gentleman be willing to leave this matter of compensation to small roads of that kind in the discretion of the Postmaster General? There can not be very many of them. Limited—

Mr. TUTTLE. The compensation is now in his discretion. Limited, however, by these maximum rates.

Mr. YOUNG of North Dakota. Limited to the amount now paid.

Mr. TUTTLE. I would not be willing to accept the amendment. My personal opinion is that Congress ought to fix the rates and not leave them to the discretion of the Postmaster General at all. My colleagues on the committee and my colleagues in this House believed otherwise, and have left it discretionary with the Postmaster General to fix the rates which the railroads should receive for their services, provided they do not exceed those named in this section.

The CHAIRMAN. Does the gentleman from Tennessee [Mr. Moon] make a point of order on the amendment?

Mr. MOON. No; I will withdraw the point of order and let the Members vote upon it.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Dakota [Mr. Young].

Mr. LEWIS of Maryland. Mr. Chairman, this is one of the subjects that have received, through the instrumentalities of Congress, a degree of investigation commensurate with its extreme complexity.

It must be manifest to the House that in dealing with 2,000 railroad corporations, each one presenting a species of facts of its own, it would be utterly impracticable to apply a single standard of compensation to each one of those roads that would work out exact justice to each one of them, each railway having a different scale of operating expenses and capital charges. The commission, therefore, which reported on this matter, having tried that view, after a year's study, had to abandon it. The commission abandoned the idea of making compensation to each railway according to its particular circumstances and adopted a uniform standard of compensation for car-mile movement throughout our country.

If an exception is to be introduced, as proposed by the gentleman from North Dakota [Mr. Young], it would necessitate a prolonged study, to begin with, of the facts appropriate to that exception. It would be utterly beyond the power of even the commission, on the facts presented by this letter of protest, to reach any conclusion as to the righteousness of the claim set up, and of course quite beyond the faculties of the House, sitting here as a general body.

When the president of a road declares that that road is being underpaid for a service, it does not follow by any means that that is a fact. I do not mean by that to suggest that the president of the road is insincere or untrustworthy, but I mean, sir, to suggest a much broader difficulty, which is the absence of any unit by which you can determine whether any particular rate on any railway is just or otherwise, because you can not allocate the costs of any particular service with enough precision to determine whether the rate fixed is too high or too low.

Mr. Chairman, I know the conviction is widespread among railway men that the passenger service—that is, the 25 cents per car mile—does not yield its full share of railway revenue; and I do not question their sincerity. It is unfortunate that railway expenses as between the freight and passenger services do not, as railway men themselves admit, permit of such segregation as to determine whether they are right or wrong. All efforts to so segregate have been abandoned by railway economists. It may be interesting, however, to see how the American case compares with other countries. In the United States the railways secure an average receipt of \$1.91 for each ton of freight carried and the average journey of the ton is 257 miles. The average receipt from the passenger is 66 cents and the average distance traveled is 33 miles. Thus the ratio of the ton

to the passenger charge is three (2.90) to one. I now insert a table giving the like ratios for other countries:

Receipts from freight and passenger service of several countries compared.

Country	Receipt per ton, freight.	Receipt per passenger.	Ratio, ton to passenger charge.
Argentina.....	\$2.05	\$0.467	4.4 to 1
Austria.....	.83	.182	4.6 to 1
Belgium.....	.53	.105	5.0 to 1
Denmark.....	1.03	.24	4.3 to 1
France.....	1.08	.225	4.8 to 1
Germany.....	.79	.13	6.0 to 1
Norway.....	1.00	.225	4.4 to 1
Sweden.....	.63	.209	3.0 to 1
Switzerland.....	1.24	.164	7.0 to 1
Average.....			4.8 to 1
United States.....	1.91	.66	2.9 to 1

Per capita tonnage and passengers and average distance traveled by railroad in several countries.

Country.	Tons per capita.	Passengers per capita.	Freight journey.	Passenger journey.
			Miles.	Miles.
Argentina.....	5.3	8.3	101	20
Austria.....	6.4	9.2	60	25
Belgium.....	10.4	24	49	12
Denmark.....	2	7.7	53	21
France.....	3.1	12	81	24
Germany.....	8.7	20	71	15
Norway.....	2.5	6	35	17
Sweden.....	6.7	9.4	44	12
Switzerland.....	4.7	28	45	13
United States.....	10.8	10.5	257	33

Thus in other countries the tendency is to pay about five (4.8) times as much to move a ton of freight as to move a passenger. Here the ton tax is less than three (2.90) times the passenger tax per journey. It appears, too, that while we rank first in the ton traffic per capita, we rank but fifth in the passenger traffic; and this is, I believe, a consequence mainly of the difference in the freight and passenger tariffs, whether this disparity be justified or not. If now the transportation tariffs possess the ethics and the incidence of taxation as practically all railway economists have come to agree, would it not seem that any augmentation of such tariffs should fall on the freight rather than the passenger movement? In other words, does not the contention that the passenger traffic is relatively underpaid fall to the ground?

Now, this commission has approached this subject with the aid of the best talent of the United States in transportation matters, with the aid of railroads, with the aid of the postal authorities who have been studying it for a long time, and with the aid as well of the experts of the Interstate Commerce Commission.

Upon what principle have they proceeded? They found, to begin with, that the mails usually move in passenger cars. Very well. What did the railroads get on an average for the movement of a passenger car, assumed to be 60 feet long? They were able to find the average revenue from express, passengers, mail, and all the passenger traffic in terms of 60-foot car miles. It developed that this average revenue was in the neighborhood of 25 cents (24.69) per car-mile. Having reached that conclusion they argued naturally that since 25 cents a car-mile represented the product of rates that had been fixed by the railroads themselves, it was a commercial basis upon which the commission might legitimately proceed to consider what a postal car mile should pay.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON. I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the gentleman from Maryland may proceed for five minutes. Is there objection?

Mr. YOUNG of North Dakota. Reserving the right to object, if the purpose of the gentleman is to vote down the amendment I had rather it be done right away than to wait for a long, labored explanation.

The CHAIRMAN. Does the gentleman object?

Mr. YOUNG of North Dakota. I will not object.

The CHAIRMAN. The gentleman from Maryland is recognized for five minutes.

Mr. LEWIS of Maryland. Then they said if 25 cents is the average product from all this service upon rates for the most part as determined by the railways themselves, should a postal car pay as much, more, or somewhat less? After an investigation the House Committee on the Post Office and Post Roads concluded that, for various reasons, the Postal Service should pay something less than this average return, and they fixed upon rules of compensation that mean about 8 per cent less than this average return, or about 23 (22.73) cents per car-mile. It is manifest, of course, to anyone with average railway experience that there are some items of expense which attend the movement of the passenger that do not attend the movement of the mails. There is an immense body of accounting that the railroads have to undertake with regard to the passengers that has not to be undertaken with regard to the mails. These are not all, but are suggestive reasons why a rate of compensation less than the average for the passenger traffic has been adopted in this bill.

Mr. TUTTLE. May I interrupt right there?

Mr. LEWIS of Maryland. Yes.

Mr. TUTTLE. I should like to ask the gentleman from Maryland if at this point he will include those items which would make that 8 per cent difference in favor of the mail car?

Mr. LEWIS of Maryland. I shall try to do so. There are the following items to be considered, namely:

First. Passenger-travel accounting.

Second. Passenger advertising, stationery, printing, and so forth.

Third. Maintenance of passenger ticket offices down town, and so forth.

Fourth. Expensive passenger terminals and maintenance.

Now, no one can say that these equal 8 per cent difference in cost of service. But let us see just how matters stand in regard to the rates proposed. The following table gives average rates for a 60-foot passenger car per mile of travel:

	Cents.
(1) Average railway revenue per passenger, mail, and express car.....	24-69
(2) Average revenue for express car (1910).....	22-80
(3) Average rate for mail car under Moon bill.....	22-73
(4) Average rate recommended by joint commission.....	24-69

It should be noted that the average for the express car is based on the experience of 1910. Since then these rates have been reduced 15 per cent, and the small parcels, yielding the highest revenue to the railways according to weight, have gone to the parcel post. Both circumstances probably mean an average reduction in express-car revenue to the railways of at least 20 per cent, and this would mean that the present express car is yielding only 18.24 cents per car-mile to the railways, or but 80 per cent of the mail rate proposed in this bill.

Now we come to the case of the shorter roads and the rates accorded them by this bill. They have found, for example, that terminal expense means more to a railway on a 40-mile haul than it means on a 400-mile haul, because the terminal expense will remain substantially the same whether the haul be short or long. Compensations to cover that expense are provided in this bill, because standard compensations for terminal service, independent of the distance traveled, are given by the bill.

This will be made clear from the following table of rates carried in the Moon bill:

Round trip.	Terminal rate, round trip.	Mile rate.
		Cents.
60-foot car.....	\$8	21
60-foot car storage.....	8	20
30-foot car.....	4	10.5
15-foot car.....	2	5.5

TOTAL RATE PER MILE.

	For 40-mile haul.	100-mile haul.	400-mile haul.
	Cents.	Cents.	Cents.
60-foot car.....	31	25	22
30-foot car.....	15.5	12.5	11
15-foot car.....	8	6.5	5.75

Thus the small roads get much the larger rate. But a substantial discrimination is made in favor of the smaller roads in another way. In the many cases where a 15-foot apartment car is unjustified by the traffic, and where railway post-office car service is not maintained, the mails are to be shipped in

what are called "closed pouches," and for this service the compensation is to be based on the weight of the pouches and the space standard is set aside.

The rates for such service are to be as follows:

	Rate.	Per ton-mile.
Up to 200 pounds.....	\$42.75	\$1.17
500 pounds.....	64.12	.70
1,000 pounds.....	85.50	.47
Railway rate for excess baggage.....		.10

These rates can be said to be the highest—many times the highest—paid for any species of rail transportation anywhere in the world, and their payment represents a distinct purpose to be helpful to the small roads. If the Government were to apply commercial standards to this "closed-pouch" traffic, the rates would be much lower. For comparison, let us take a 50-mile railway as representing the small road. What rates does it ask of its patrons for carrying baggage? Well, when it carries baggage beyond the limit allowed with the ticket, its rate is one-sixth the first-class fare per 100 pounds. At 3 cents a mile for the ticket, one-sixth amounts to just 10 cents per ton-mile, and the services performed for the closed pouch and the baggage are practically identical. Yet this bill, in its purpose to be generous to the small roads—and most of them are owned by the big roads—provides a compensation from 5 to 12 times as great as such railways are demanding from their commercial shippers. If the Post Office Department should ship this "closed-pouch" matter by express on the same car, it would save probably 75 per cent or more, and yet the railway would receive but half the express rate from the express company.

In my judgment, the commission has reached a sane and just conclusion with regard to this subject. A conclusion that will satisfy and please all the parties? No; certainly not. The railway managers of this country will, of course, remain loyal to their functions, and loyalty to their functions at this time represents a demand for more revenue. It is their business to get more revenue in whatever direction they can. Meanwhile public servants must be loyal to their function as well, and one of the considerations in that connection is this: Where we are fully paying the railroads to-day for carrying parcel-post matter—that is, where the weighings have taken place since the parcel post began to move—we are paying them about twice what the express companies pay for moving the same quantities the same distance. Now, justice is not only an absolute but it is a relative matter as well in transportation matters. I am sure no man would argue, whatever the intrinsic merit of the rate itself, that the Post Office should pay more to the railways for carrying its packages than the express company, its competitor. And yet, under the existing law, the Postmaster General is said to be paying an average of 10 cents a ton-mile to the railways, the old mail rates, while the express companies are paying but 5 cents a ton-mile or less. On 20-pound parcels moving from New York to the following points the Post Office has to pay more than twice what the express companies pay:

Railway pay on 20-pound parcel.

New York to—	Distance.	Express company pays to railway.	Post office pays (average) to railway.
	Miles.		
Pittsburgh, Pa.....	444	\$0.23	\$0.44
Chicago, Ill.....	912	.32	.90
Lincoln, Nebr.....	1,447	.47	1.44
Pueblo, Colo.....	2,005	.66	2.00
Stockton, Utah.....	2,483	.88	2.40
Reno, Nev.....	2,947	1.03	2.90
San Francisco, Cal.....	3,191	1.12	3.15

Of course this means that the Post Office Department can not do business at all on these distances, and yet it has to take the unprofitable business—the rural routes, for example. It is true that no one is to blame for this manifest incongruity in express and parcel post railway pay. It represents simply the accidents of express company and postal evolution or history. This bill corrects all that and puts the postal establishment where it surely has a right to be—on terms of substantial equality with the express companies of the country upon the rail lines of the United States.

I apologize for having entered upon this subject at all. It is so long and complex that it would take hours to cover even the characterizing conditions it presents, but I think at least this much ought to be said.

The CHAIRMAN. The time of the gentleman has expired. The question is on agreeing to the amendment of the gentleman from North Dakota [Mr. Young].

The question being taken, on a division (demanded by Mr. Young of North Dakota), there were—ayes 12, noes 29.

Accordingly the amendment was rejected.

The Clerk read as follows:

For the purpose of ascertaining the average weight of closed-pouch mails per day upon which to adjust compensation, the Postmaster General is authorized and directed to have such mails carried on the several routes weighed by the employees of the Post Office Department for such a number of successive days, not less than 35, at such times after July 1, 1915, as he may direct, and not less frequently than once in every year thereafter, the result to be stated and certified in such form and manner as he may direct. In computing the average weight of mails per day carried on a railroad route, the whole number of days included in the weighing period shall be used as a divisor. The expense of taking the weights of mails and the compensation to tabulators and clerks employed in connection with the weighings, for assistance in completing computations, and of rentals, if necessary, in Washington, D. C., shall be paid out of the appropriation for inland transportation by railroad routes.

Mr. MOON. Mr. Chairman, in line 7, on page 39, I move to strike out the word "July" and insert the word "January."

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 39, line 7, strike out the word "July" and insert in lieu thereof the word "January."

The amendment was agreed to.

Mr. MANN. The gentleman does not want that to read January 1, 1915, does he?

Mr. MOON. Yes.

Mr. MANN. This bill will not be passed until long after that.

Mr. MOON. I know; but it will commence when it does pass. Here is the suggestion of the department:

Referring to the paragraph of section 11 found at the top of page 39 of the bill (H. R. 19906) making appropriations for the service of the Post Office Department, etc., I have to suggest the advisability of changing the date named in line 7—July 1—to January 1. This will permit the weighing of closed pouch mails before July 1, 1915, and the fixing of the pay for such mails to begin on that date. Otherwise, if the plan becomes effective July 1 and the department has no authority to weigh the mails prior to that date, such adjustments will be greatly delayed after the service becomes effective. This was explained by the Second Assistant Postmaster General at the hearings.

Mr. MANN. I see the point; but why not say "after the passage of this act," instead of saying that they can do certain things after a certain date?

Mr. MOON. I am always willing, if I can get what I want, to get it in any way necessary. I have no objection to the amendment in that shape.

Mr. MANN. Then, Mr. Chairman, I ask unanimous consent to strike out, in line 7, the words "July 1, 1915," and insert "the passage of this act."

Mr. MOON. I have no objection to that.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 39, line 7, strike out the words "July 1, 1915," and insert in lieu thereof the words "the passage of this act."

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to agree to that amendment. Is there objection? There was no objection.

The Clerk read as follows:

The Postmaster General is authorized to employ such clerical and other assistance as shall be necessary to carry out the provisions of this act, and to rent quarters in Washington, D. C., if necessary, for the clerical force engaged thereon, and to pay for the same out of the appropriation for inland transportation by railroad routes.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last word. I wish to inquire of the chairman of the committee whether he desires to give the Postmaster General the authority that is given him in this paragraph. This permits the Postmaster General to employ at Washington in the departmental service employees who will be paid out of the appropriation for the transportation of the mail.

Mr. MOON. What is the objection to that?

Mr. FITZGERALD. We keep the departmental service separate from the general Postal Service. I did not know whether it was the intention of the gentleman, or the wish of the gentleman, to have that paid all the time out of that appropriation, or whether it was to take care of the immediate situation. I wish to suggest, whatever else be done, that the word "act" in line 1, as well as lines 4 and 16, shall be changed to "section."

Mr. MOON. I think the language had better remain as it is, but I think the word "act" should be stricken out wherever it occurs and the word "section" inserted.

Mr. FITZGERALD. Then, Mr. Chairman, I ask unanimous consent that the word "act" in line 1, line 4, and line 16 be changed to the word "section."

Mr. MOON. That is satisfactory to me, Mr. Chairman.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 44, lines 1, 4, and 16, strike out the word "act" and insert the word "section."

The CHAIRMAN. The gentleman from New York asks unanimous consent that the amendment be agreed to.

There was no objection.

Mr. MANN. Mr. Chairman, I notice on page 42, at the bottom of the page, a provision that—

If any railroad company carrying the mails shall fail or refuse to provide cars or apartments in cars for distribution purposes when required by the Postmaster General, or shall fail or refuse to construct, fit up, maintain, heat, light, and clean such cars and provide such appliances for use in case of accident as may be required by the Postmaster General, it shall be fined such reasonable sum as may, in the discretion of the Postmaster General, be deemed proper.

I do not understand under what authority of the Constitution or otherwise we can fine a railroad such sum as the Postmaster General may deem proper. Of course, if we have a contract with the railroad we can provide a penalty to be taken out of the money due the railroad company, but when you undertake to say that we can take away the power of the courts and let the Postmaster General determine how much a railroad company shall be fined, it seems to be going beyond the constitutional power.

Mr. MOON. Technically the gentleman from Illinois is correct, we have no power to do anything of that sort. But the word "fine" has a fixed meaning in postal parlance; it means a reduction from the compensation due the company.

Mr. MANN. That is what I supposed was intended.

Mr. MOON. And the word is used in that sense.

Mr. MANN. I wondered whether it was not practicable for gentlemen to think it over and change the language for the better.

Mr. MOON. It might be well, but that is the intention and the meaning of it.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 44, line 19, after the word "routes," insert the following: "And hereafter detailed estimates shall be submitted for such service in the annual Book of Estimates."

Mr. FITZGERALD. Mr. Chairman, I appreciate that the gentleman provides that this legislation shall go into effect on the passage of this act, making provision for railroad transportation, so that there shall be no embarrassment to the Post Office Department. It seems to me that we should keep separate the departmental and the postal expenditures.

Mr. MOON. I think that is very wise.

Mr. FITZGERALD. This merely requires them, instead of having a lump-sum appropriation, to submit detailed estimates.

Mr. MOON. That is very proper.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was agreed to.

The Clerk read as follows:

The Postmaster General shall, from time to time, request information from the Interstate Commerce Commission as to the revenue received by railroad companies from express companies for services rendered in the transportation of express matter, and may, in his discretion, arrange for the transportation of mail matter other than of the first class at rates not exceeding those so ascertained and reported to him, and it shall be the duty of the railroad companies to carry such mail matter at such rates fixed by the Postmaster General.

Mr. COOPER. Mr. Chairman, I move to strike out the last word. Is it the object of that section to permit the Postmaster General to provide for the carrying of magazines and all other mail matter except letters, by express at express rates?

Mr. MOON. To which line does the gentleman refer?

Mr. COOPER. Beginning on line 20 on page 44.

Mr. LEWIS of Maryland. Mr. Chairman, if I may volunteer to answer the gentleman's question, I have definite views as to what is intended, though I do not know that they accord with those of the gentleman from Tennessee.

Mr. COOPER. Then I will ask the gentleman from Maryland to answer the question.

Mr. LEWIS of Maryland. The circumstances to which I referred a moment ago, namely, that the express companies are paying a very much lower rate to the railroads than we are paying for the carriage of parcels. The Postmaster General, under this clause, would have the right to go to the Interstate Commerce Commission and get what would be necessary to him as a shipper, namely, an equal rate.

Mr. COOPER. Is this an attempt to change in this way the postage rates on magazines and newspapers?

Mr. LEWIS of Maryland. No; not at all.

Mr. COOPER. Will it result in that?

Mr. MOON. No; it can not possibly.

Mr. COOPER. What other mail will be carried at express rates?

Mr. MOON. That does not change the postage. It is the contract price for carrying.

Mr. COOPER. I understand, but what I am getting at is this: Is this an attempt to have the magazines carried by express rather than go as they now go, by the pound rate?

Mr. MOON. No; I do not think so.

Mr. COOPER. What mail matter except first class, letters, and so forth, will be carried by express?

Mr. MOON. It does not say by express. It provides that the Postmaster General may, in his discretion, arrange for the transportation of mail matter other than of the first class at rates not exceeding those ascertained and reported to him, and that it shall be the duty of the railroad companies to carry such mail matter at such rates as are fixed by the Postmaster General.

Mr. COOPER. Exactly. For a number of years there have been efforts made to have the postage on magazines and newspapers increased. All sorts of representations have been made, some of them grossly exaggerated and some of them, in my judgment, deliberately false, as to what it costs to carry this under the present system, as if it were the prime object of the Postal Service to make money.

Mr. MOON. I think the gentleman's suggestion would more properly apply to the language on page 45.

Mr. COOPER. I mean all of the language. This authorizes the Postmaster General to contract with the railroads for the carrying of newspapers and magazines, and so forth, by express.

Mr. MOON. I see what the gentleman is getting at now. The Government is now engaged in the carrying of magazines, which is second-class matter, by fast freight rather than by express or by fast mail. In two divisions of the country this is done. Those magazines, as the gentleman knows, are printed some two weeks before the date of delivery, bearing a date two weeks ahead. The Government performs its contract by delivering the magazines at the time it agrees to deliver them, but instead of carrying them by express it carries them by fast freight.

Mr. COOPER. How do those rates compare with express rates?

Mr. MOON. In two sections, I believe the second and third—the country being divided into four sections—my recollection is, offhand, that the Government has saved in one section \$1,280,000, and in the other one million four hundred thousand and odd dollars by adopting this fast-freight plan rather than carrying the magazines as heretofore by fast mail. It delivers the magazines at the time it contracts to do it, and there is that much saving. The purpose under that section is to put the whole country under that blue-tag proposition. The gentleman will find, if not there, further along in this section, provision for the repeal of the section of the law that prohibited the extension of the blue-tag proposition to the other two sections of the country.

Mr. COOPER. Will the gentleman tell me what is the difference between the average rate by express for carrying this matter and by fast freight?

Mr. MOON. No; I could not, offhand, tell the gentleman.

Mr. COOPER. Could the gentleman from Maryland [Mr. Lewis]?

Mr. LEWIS of Maryland. The only light I can offer upon it is that there is a provision in all express contracts with the railroads that the express rates shall never be less than 150 per cent of the freight rate. It might be approximately correct to assume fast-freight rates were one-half of the express rates.

Mr. COOPER. Yes; but you authorize them to make contracts at the express rate—

Mr. LEWIS of Maryland. No.

Mr. COOPER. The bill says "It shall be the duty of the railroad companies to carry such mail matter at such rate fixed by the Postmaster General."

Mr. MADDEN. Here is what it authorizes: It authorizes the Postmaster General to ascertain from the Interstate Commerce Commission what the express companies pay the railroad companies, and if he finds the express companies are paying the railroad companies less than the Government is paying them, then he has the right to demand the same rate that the express companies are paying the railroads.

Mr. COOPER. But my question was this: At present they are carried by fast freight, and if this becomes a law it would authorize the Postmaster General to carry these same articles—

magazines, papers, and so forth—by express, and to pay the same rate as the express rate.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER. Mr. Chairman, I ask for three minutes more, just to have these questions answered.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin? [After a pause.] The Chair hears none.

Mr. LEWIS of Maryland. Let me explain this. Suppose we are paying at the rate of 23 cents per car mile?

Mr. COOPER. By fast freight?

Mr. LEWIS of Maryland. No; by mail car. We find the express companies are paying only 18 cents per car mile, and we find that fact by going to the Interstate Commerce Commission. Then we have the right to demand of the railroads that they will carry everything except first class, which is the kind of stuff carried by express companies, at the rate of 18 cents per car mile. The railroad can protect itself by raising its rate to the express companies. If it will not do that, it ought to protect the Government by giving it equal rates as a shipper as anybody else. The Government is entitled to equal rates as a shipper. That means a rate as low as any other kind of shipper of the same matter, and the object of the clause is to secure to the Government as a shipper an equality with every other kind of shipper.

Mr. COOPER. Well, Mr. Chairman, that does not meet my question as I want it met. At present the Government sends magazines by fast freight, and the gentleman says that this rate by fast freight is considerably less than express rates. Does he not?

Mr. LEWIS of Maryland. I assume it will be more than one-half.

Mr. COOPER. More than one-half express rates, but this section authorizes the Postmaster General to inquire of the railroad companies what the express companies receive, and then the last two lines of the section provide that "it shall be the duty of the railroad companies to carry such mail matter at such rates fixed by the Postmaster General." That will allow the Postmaster General to contract for the carriage of mail that now goes by fast freight at the express rate, which the gentleman himself says is much higher than the fast-freight rate.

Mr. LEWIS of Maryland. Surely.

Mr. COOPER. Why do you do that?

Mr. LEWIS of Maryland. The gentleman makes the error, I believe, if he will pardon me, in thinking the bulk of the traffic consists of magazines, but the bulk of the traffic does not consist of magazines. There is an immense amount of traffic which can not go by fast freight, because that method would not suit. It is too slow, and the stuff has to go by passenger car.

Mr. COOPER. It authorizes the Postmaster General to contract at express rates for carrying magazines—

Mr. LEWIS of Maryland. As Judge Moon states, some magazines now go by passenger train, and it leaves the Postmaster General to say whether the fast freight will reach some of these cases.

Mr. COOPER. In other words, it would leave to the discretion of an executive officer the right to contract at double the rates for what he now pays for satisfactory service, and at a less rate.

Mr. LEWIS of Maryland. Let me say to the gentleman that the trouble with the Post Office Department to-day is, if there is any, and for a few years past, that the Postmaster General has been treated as if he were a thief, that he has not been allowed that liberty of action, that power of initiative and direction given every president of every industrial corporation in this country; but 400 of us up here on the hill, with only a momentary idea of what is best, tell him what to do.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent for three minutes more. Is there objection? There was no objection.

Mr. MADDEN. Mr. Chairman—

Mr. COOPER. I yield to the gentleman from Illinois [Mr. Madden], if he wants to say a word.

Mr. MADDEN. Mr. Chairman, I want to say this, that it is not fair to assume that the Postmaster General, whoever he may be, would pay double the rate if he could get the product carried for half the rate. And even though you give him the discretion, he is bound by every sense of decency and justice to carry the property that he is charged with having carried at the lowest rate he can get.

Mr. COOPER. Mr. Chairman, of course there is no one that would impugn the integrity of the Postmaster General or attack any executive officer of the Government. But this is a Government of laws, and not of men, and there should be a limit set upon the discretion to be exercised by executive officers in the expenditure of public money. But here we deliberately say in so many words that the Postmaster General shall contract, at a rate which may be, as the gentleman from Maryland [Mr. LEWIS] has just said, for the carriage of magazines, twice what we now pay for a satisfactory service. Of course he would not, perhaps, do that, but no opportunity to do it should be given by law to any official. We should not write such a law. We should not deliberately enact a statute that will permit the Postmaster General in his discretion to pay twice as much as we now pay for a service that is entirely satisfactory, though I take the answer of the gentleman from Maryland [Mr. LEWIS] to mean that this would be possible.

Mr. STEENERSON. Mr. Chairman, I would like to say to the gentleman from Wisconsin [Mr. COOPER] that if I understand the object of this paragraph it is to provide a method whereby the Postmaster General, after this new space plan of railway mail pay is adopted, can transport this mail, which need not go expeditiously, at a cheaper rate than he would be compelled to pay if he used space.

In order that it may be more clear, I would call the committee's attention to the fact that under existing law, where we pay by the pound per mile, we have authorized the Postmaster General to withdraw from the mails magazines and periodicals that are not frequently published and that need not be transported so expeditiously as first-class mail, before the weighing period takes place, and to keep them out of the mails during the four years between the weighing periods, and during those four years transport them by freight. And it is claimed by the Post Office Department in their reports and in the hearings on this bill that they have saved two or three millions of dollars a year in that way. Although we can do that now, by withdrawing them from the mail before each quadrennial weighing, we could not do so if we adopted a space plan for railway mail pay, which this bill contemplates. Therefore, when we adopt a space plan, we would pay so much directly for the moving of the car. That car might have a load of 5,000 pounds or 20,000 pounds, and in case of a storage car it might have as high as 30,000 pounds to the load. But usually the R. P. O. cars, so called, carry a load of 2 or 2½ tons—probably 5,000 pounds is the highest, though they might average less. And if we pay for them at the rate of 25 or 26 cents a mile, then it would pay to ship the magazines and these other periodicals that need not move so expeditiously by freight, and therefore this paragraph is intended to authorize the department to save railway mail space under the new plan and, instead, pay the freight, and no one would be injured by it.

It will simply authorize the Post Office Department, when the new space plan is perfected and put into operation, to save money by shipping this kind of matter by fast freight, and there is no undue amount of discretion involved in the proposition, as I can see. On the contrary, I think the criticism of the gentleman from Maryland is wide of the mark, and I can see no objection to it at all.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Postmaster General, in cases of emergency between October 1 and April 1 of any year, may hereafter return to the mails empty mail bags and other equipment theretofore withdrawn therefrom as required by law, and where such return requires additional authorization of car space under the provisions of this act to pay for the transportation thereof as provided for herein out of the appropriation for inland transportation by railroad routes.

Mr. FITZGERALD. Mr. Chairman, I think the gentleman from Tennessee wants to change the word "act," on line 4, to "section."

Mr. MOON. Yes. I ask unanimous consent, Mr. Chairman, to make the change indicated.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 46, line 4, by striking out the word "act" and inserting the word "section."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

It shall be unlawful for any railroad company to refuse to perform mail service at the rates of compensation provided by law when and for the period required by the Postmaster General so to do, and for every such offense it shall be fined not exceeding \$5,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] moves to strike out the last word.

Mr. MANN. I do so, Mr. Chairman, to inquire whether there is any doubt about our authority to impose a fine upon a railroad for refusing to permit the Postmaster General to confiscate its property if he should so choose. Is there any doubt about our authority?

Mr. MOON. You can impose a fine in the sense of a punishment provided under the law for the offense, but, of course, the Postmaster General has no authority to confiscate property. He has authority to reduce the compensation.

Mr. MANN. I am talking about the provision now that makes it unlawful for a railroad company not to accept a contract tendered by the Postmaster General at the rate fixed by the Postmaster General, and if the railroad company refuses, to fine it not exceeding \$5,000. Of course the fine does not amount to very much, if that is all that it is. We have certain powers, of course, in the regulation of the Postal Service under the Constitution; but does it go to the extent of permitting us to say how much we shall pay a railroad company for transporting the mail, or requiring them to transport it free, if we should say so, and then fine them if they refuse to do it?

Mr. MOON. I think we have the power to fix the rate, provided it is a reasonable rate, and to punish the railroad company for not carrying it if it refuses to do it at a reasonable rate. But we have not the power to fix a rate that would be in any sense confiscatory; and if we do that, then the action that we take here is unlawful, and the section could not be enforced. That would be a question of mixed law and fact for the court.

Mr. MANN. Well, practically this gives to the Government officials the power to fix the rate at which mail shall be carried.

Mr. MOON. Yes.

Mr. MANN. And there is nothing in it that says that it shall be a reasonable rate.

Mr. MOON. Yes; but the law of the land says that. The law of the land is a part of every amendment to it.

Mr. MANN. This is not the law of the land.

Mr. MOON. I know; but if it were not reasonable it would not be the law of the land under the Constitution.

Mr. MANN. Yes; that is what I am trying to find out—whether this is constitutional or not.

Mr. MOON. We propose to write the legislative will on that subject in this act. We can do it under the Constitution, provided our act is not confiscatory of the property of the railroad company. If it is, then our act here is invalid, and that will be a question for the court to determine.

Mr. MANN. Ah, that is not a question for the courts under this if the act is valid.

Mr. MOON. The interpretation, I mean. The gentleman from Illinois should understand that the interpretation is a question for the courts. If the railroad companies say that they are not satisfied with this action and that it is violative of their constitutional right and that it takes their property and confiscates it to the public use without fair compensation, then the courts are open to determine that question. There is no doubt about that, in my opinion.

Mr. MANN. I am not at all certain of that. Of course if the Government takes the property of the railroad companies, they have a claim against the Government. But we have taken the property; we frequently take the property of people, although the Constitution says we can not take it without making compensation. But we take it, and then they have a claim against the Government.

Mr. MOON. When we take it we have to provide an indemnity.

Mr. MANN. Well, the gentleman represents the State of Tennessee, where the Union soldiers are said to have taken a great deal of property during the Civil War and made use of it. We have many claims here which have not yet been paid, and which my friend from Tennessee is urgently insisting ought to be paid, because the Government took the property over 50 years ago. They have not got their money yet.

Mr. MOON. That is not a case like this. That is a major force exercised incident to war, and that is not the construction of a civil act.

Mr. MANN. We take the property now. What I want to get at is, where is the authority to say that one party to a contract can lay down the lines of the contract, although that party is the Government, and then fine the other party because it does not accept the contract.

Mr. MOON. It is a governmental power that we have under the Constitution which we have the right to exercise. It is the sovereignty of the people, being exercised upon a corporation which is but the servant of the people, and the courts have al-

ways held that we have the right to take the property of the corporation, or to force it to action in behalf of the Government, where we do not confiscate it.

Mr. MANN. The courts will hold that the Government has the right to take property, and then must make compensation for it under a claim against the Government; but if any court has ever held that the Government can go to a man and say, "I want to buy your wagon; I will pay you 10 cents for it; that is all it is worth; and if you will not take it I will fine you \$5,000 because you do not sell it to me"—if any court has ever held that, it is news to me.

Mr. MOON. No court ever held that, and no court ever will hold that.

Mr. MANN. I think not.

Mr. MOON. But when the Government says, "Here is your property; I want it; and here is the compensation," if the amount of the compensation is just and reasonable the man has got to take it. If it is not just and reasonable, as in the case of your wagon at 10 cents, all the man who owns the wagon has to do is to say, "I refuse, because the constitutional right I have is superior to the act of Congress, and Congress has no power to confiscate my property." And if the Government then proceeds, it proceeds at the peril of the invasion of the man's constitutional right, and the courts are here for the protection of the citizen under such circumstances.

Mr. MANN. But here is a provision fining the man.

Mr. MOON. Of course, the whole thing is void if it is confiscatory.

Mr. MANN. Here is a provision fining the man because he does not accept a contract which you admit can not be enforced.

Mr. MOON. The provision fining the corporation would be void if its effect was confiscatory, but the man at his peril raises the question against the sovereign Government.

Mr. MANN. If the whole act is void in case there is confiscation, then the whole act is void to begin with.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON. I ask unanimous consent that the gentleman's time be extended five minutes.

Mr. MANN. I want a chance to use a little of my time.

Mr. MOON. Then I will ask that the gentleman have 10 minutes, if necessary. I just want to say to the gentleman from Illinois that when we pass an act of this character, enforcing the sovereignty of the Government in the control and disposition of property, in the action of a corporation, we pass it upon the idea that it is just and right and that we do not confiscate its property. But we may be mistaken about that. It may be that we have gone farther than we had the constitutional right to go. If we have, then our whole act here is void, and the citizen, under the Constitution, can protect himself against such legislative enactment. But if in the consideration of the case it finally turns out that we have justly exercised our sovereignty against the creature of government, the corporation, and that the corporation has attempted wrongly to disobey the legislative mandate, and that, in fact, there has been no confiscation, but that proper action has been taken by the Government, then the railroad company must submit to the inevitable and pay the fine.

Mr. MANN. Mr. Chairman, you can not determine the constitutionality of an act by a particular case which may arise, because when the question comes before the courts in one case they determine the constitutionality of the act before some other case has arisen. So that the validity of this act must be determined upon its face, not by the question whether the Government attempts in future in a particular case to confiscate. The Government may attempt in some particular case to confiscate. The gentleman from Tennessee says that renders the act invalid.

Mr. MOON. It is nonenforceable in that particular case, of course.

Mr. MANN. If the act is constitutional and valid, then that is imposing a fine on a railroad company which does not accept the rate offered it in a contract; and there is one place in the bill, the paragraph referred to a moment ago by the gentleman from Wisconsin [Mr. COOPER], where the Postmaster General is permitted to fix as low a rate as he pleases, except that he can not fix a higher rate than the rate imposed by express companies; and the railroad company then must carry the mail at the rate so fixed by the Postmaster General, which may be 1 cent a ton. Of course, you could not enforce that; but, then, you apply the criminal procedure, which undertakes to say that if a railroad company does not accept it you will fine them \$5,000, and if the act is valid that fine will be imposed.

I think probably the courts will say that the act is not valid, to begin with, and that may destroy your whole act, as far as this matter is concerned. I do not know whether the Govern-

ment has ever attempted to fine a railroad company for refusing to carry the mails. I doubt whether a railroad will ordinarily refuse to carry the mails, but I question very much the propriety of the Government saying to a man or a corporation, "You must do a certain service for me, or sell me a certain thing at the price which I name, and if you do not I will fine you or send you to jail," because if you have the power to impose a penalty as a fine you have the same power to send the officers of the corporation to jail who do not agree to the contract.

Mr. MOON. Mr. Chairman, I want to ask, as affecting the jurisdiction of this body, if the Southern Railroad Co. should say to-morrow to the Government of the United States "We will not carry the mail from Washington to New York," what power is there in the Government to make them do it? It has the power of a sovereign over a creature of the law. Whenever this body says to that Southern Railway Co. "You shall carry the mail," that mandate has got to be obeyed, provided that in saying it it gives a proper compensation for the carrying of it. In other words, the corporation is subject to the jurisdiction and control of the sovereign power of the United States Government on that question for the purpose of carrying out its functions in behalf of the interests of the people, and the only limitation under the Constitution is that the services shall not be demanded of the corporation except for a fair compensation. If the legislative body fails to give the compensation that is due and thereby renders it confiscatory against the company, then there is a limit and an end to the power of the Government over the citizen or corporation. But so long as the Government does not confiscate the property of the railroad company in this mandate to perform a public service, it has the right under the Constitution to demand it.

Mr. COOPER. Will the gentleman permit a question?

Mr. MOON. Certainly.

Mr. COOPER. This power is not exercised by the Government under any claim of eminent domain—under constitutional provision that it can take private property for public use?

Mr. MOON. No; that comes in as a secondary proposition when the effect of the governmental action is confiscation.

Mr. COOPER. The Southern Railroad is a State corporation, a citizen of the State?

Mr. MOON. I do not know; of some State, I presume.

Mr. COOPER. Suppose the Government of the United States wishes the mail carried into a territory where there is no railroad, would it have the right to say to a private citizen, "You carry the mail with your horses and wagon at such a figure or we will fine you."

Mr. MOON. Oh, no; does not the gentleman realize the difference between dealing with a public-service corporation and a private citizen? The public-service corporation is clothed with the functions of government, and the fact that it is a creature of the Government enables both State and Federal Government to force it into this service in the interest of the people for the accomplishment of some purpose that will be of benefit to the people.

Mr. COOPER. Of course I understand the difference between a private citizen and a corporation. The Government can demand that a corporation perform the service of carrying mail at a particular figure that is not confiscatory; but can it impose a criminal sentence, a fine, upon that company if it does not perform the service?

Mr. MOON. I think the corporation that refuses to perform a public service raises the question of confiscation at its peril if it turns out to be wrong on the question. If it is right and the action of the Government is confiscatory, then of course the Government can not enforce the mandate. I want to say that I believe in the doctrine that the Government of the United States by its power and authority under the Constitution, and those powers that must necessarily be implied as inherent in the sovereignty, has the right to make any corporation that is a common carrier perform service for the Government, such as carrying the mails or a similar service, under the Constitution. If any railroad company in all of this land can say to this Government, "Whether you pay us a large price or a small price we stand upon our rights as a citizen—artificial though it may be—and we decline to do that as a corporation which a private citizen may have the right to decline to do"—if you are to enforce a doctrine of that sort, you nullify and destroy the power of your Government; and the Federal Government is not sovereign and can not protect itself, nor can it enforce the rights under the Constitution necessary for the interest and welfare of this people if you submit to a doctrine that it is powerless to control under those conditions.

Mr. MANN. Mr. Chairman, just one moment. We have the power to declare and control what are post roads and post

routes, and under that power we have declared that all railroad companies are post roads and post routes. I have no doubt whatever that we have the power to require a railroad company to carry the mail, not the slightest, under our constitutional privilege, but that is quite a different thing from saying that we will fix on our side the rate at which they shall carry the mail. We have the power to compel them to render the service, and if we can not arrive by mutual agreement at rates to be paid, that would be adjusted by the courts on a claim against the Government, but here is a proposition which says that we have not only the power to require the mails to be carried, but the power to fix the rates ourselves, and then the power to fine the people if they fail to adopt our rates.

Mr. JOHNSON of South Carolina. Mr. Chairman, the gentleman from Illinois does not announce the doctrine that the rate-making function belongs to the courts.

Mr. MANN. Certainly not.

Mr. JOHNSON of South Carolina. Can not Congress fix the passenger and freight and post office or any other rate? Is not that a legislative function?

Mr. MANN. It is a legislative function.

Mr. JOHNSON of South Carolina. I understood the gentleman to claim that the Congress had the power to say that the railroads should carry the mails, but whether the rate fixed by Congress would stand is for the courts to say.

Mr. MANN. It is for the courts.

Mr. JOHNSON of South Carolina. The court could only decide that it is confiscatory and could not fix any rate.

Mr. MANN. I did not say that it could.

Mr. JOHNSON of South Carolina. I did not think that the gentleman would say that.

Mr. MANN. If the railroad companies do something for us and we do not pay them, they can go to the courts with a claim against the Government. My friend knows that as well as I do.

Mr. JOHNSON of South Carolina. Oh, certainly, I agree with that proposition.

Mr. MANN. That is what I said.

Mr. JOHNSON of South Carolina. I thought the gentleman was announcing here that the courts could fix the rates.

Mr. MANN. The courts do fix the rates for anything that has occurred. The gentleman does not bear in mind the distinction. The courts do fix the rate for that which is passed, but the courts under the Constitution do not have the power to fix the rates for the future. That is the distinction, which is well known to those who have been giving special study to this subject.

Mr. STEENERSON. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

After the word "company," in line 13 on page 46, insert the words "engaged in the business of operating a railway as a common carrier," and after the word "the," in line 14, insert the word "reasonable."

Mr. STEENERSON. Mr. Chairman, I think we are all interested in having this section perfected, so as to make it valid and constitutional, if it can be done, and it seems to me that on its face it is of doubtful constitutionality, because, in the first place, it is too broad. It covers every railroad company whether it is operating a railroad or not. It might be said that that would be implied, and that by the process of judicial construction it would be held to apply only to a company engaged in operating a railroad, but we may as well make it so plain as to remove any doubt. There are hundreds of railroad companies that do not operate railroads. For instance, in my State there is a railroad company that operated several lines for 30 years, and then it leased those lines. It is still a railroad company, and it owns the lines, but it has leased them to another operating company, and to say that that company which is not engaged in business as a common carrier should carry the mail, and because of failure to do so be subject to fine, would be absurd. It is not necessary to do that. We can make this plain that a railroad company that operates a railroad as a common carrier is what is understood.

There are a number of private railroads; I know of one railroad in my State, which is a logging railroad, and it has not been opened to the public. They do not carry freight as common carriers. They have purchased their right of way, and they own it, and it is operated in the interest of the owners, and they do not profess to be common carriers. Now, it would not be reasonable to compel them to carry the mails, and we are running up against all sorts of objections in that way if we leave the language blank. Another thing. This provides:

That it shall be unlawful for any railroad company to refuse to perform mail service at the rates of compensation provided by law when and for the period required by the Postmaster General so to do.

Now, I think that the objection that has been raised to this on the ground that the rate prescribed by law might be confis-

catory would be avoided if we insert the word "reasonable" before the word "rates," so that it would read:

At such reasonable rates of compensation provided by law when and for the period required by the Postmaster General so to do.

Without this amendment it seems to me that this provision is of doubtful constitutionality and might therefore injure the efficacy of the whole provision. I myself in committee suggested that it would be better to make it the duty—that is, to say that it shall be the duty—of every company operating a railroad to carry the mails, if it were a common carrier, and simply leave it to the courts to enforce that duty by injunction, mandamus, or something of that kind, instead of having a criminal penalty against the corporation, which is not the ordinary course of business. The penalty of a fine of \$5,000 hardly seems applicable to a case of this kind. If we are going to write in this section a clause in the nature of a definition of a crime, it seems to me that it ought to be plain. By inserting the word "reasonable" before the word "rates" we make it plain we are aiming at the railroad company that actually operates a railroad as a common carrier.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON. Mr. Chairman, of course this act does not propose to take any action against any but railroad companies that engage in the carrying of mails or engage in a common-carrier business. There might be a little logging railroad through the country hauling to a sawmill, or things of that sort, and this act could have no application to that sort of a corporation. Now, as to the question of reasonable rates. If the gentleman opens up that question, he opens up the whole field of contention in reference to railway rates and would nullify every section practically of this act by saying that every company in the United States shall be in litigation by an injunction, or some other process, against the performance of this act. The language is right:

To refuse to perform mail service at the rates of compensation provided by law when and for the period required by the Postmaster General so to do.

Are we simply sent here to say "reasonable rates" and leave it to all the courts to settle this litigation in every single instance with every railroad company? We want to exercise some virile power in this Government. We want to say to the railroad companies, "We have got the power to make you carry these mails; we have fixed the rates and you have got to carry them at the rates we fix. If you do not like it, if you think we confiscate your property, then there are the courts, here is the Constitution"—

Mr. STEENERSON. Will the gentleman yield?

Mr. MOON. Mr. Chairman, I would like to ask for a vote on this section.

Mr. STEENERSON. The gentleman concedes there is no judicial authority for the contention you could fine a railroad company for refusing to carry the mails; that has never been determined.

Mr. MOON. Why, there is no use in discussing that matter with the gentleman if he does not understand the difference in the power of the Government in enforcing its action by legislative order or mandate and the right of a citizen under the Constitution in the courts.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. STEENERSON].

The question was taken and the amendment was rejected.

The Clerk read as follows:

That the unexpended balances of the appropriations for inland transportation by railroad routes and for railway post-office car service, by the act of March 9, 1914, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1915, and for other purposes, are hereby made available for the purposes of this act.

Mr. MOON. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 46, lines 20, 21, and 22, strike out the words:

"By the act of March 9, 1914, making appropriations for the service of the Post Office Department."

And in line 23 on the same page strike out the words "fifteen, and for other purposes" and insert the word "sixteen."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. MOON].

Mr. MANN. How would that read? I ask to have it reported as it would be if amended.

The CHAIRMAN. The Clerk will report the paragraph as amended.

The Clerk read as follows:

That the unexpended balances of the appropriations for inland transportation by railroad routes and for railway post-office car service for the fiscal year ending June 30, 1916, are hereby made available for the purposes of this act.

Mr. MANN. That should be then "of this section." It should read "available for the purposes of this section." That is what you want.

Mr. MOON. Yes.

Mr. MANN. That is, the appropriation in the bill shall be made available for purposes of this section.

Mr. FITZGERALD. That amendment completely changes the paragraph. Do I understand the purpose of the paragraph as amended will be to make the unexpended balances of the appropriations in this bill—

Mr. MOON. It reads:

That the unexpended balances of the appropriations for inland transportation for railroad routes and for railway post-office car service by the act of March 9—

Mr. FITZGERALD. That is stricken out.

Mr. MOON. That is stricken out, and we put in place of it:

For the fiscal year ending June 30, 1916.

Mr. MANN. The words "unexpended balances" should be stricken out, so that it would read "appropriations for inland transportation" carried by this act.

Mr. MOON. I move to strike out the words "unexpended balances."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 46, line 18, strike out the words "unexpended balances of the."

Mr. MOON. And change "act" to "section."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 46, line 24, at the end of the paragraph, strike out the word "act" and insert the word "section."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The question was taken, and the amendment was agreed to.

Mr. STEENERSON. Mr. Chairman, I move to strike out the last word.

Mr. CULLOP. Mr. Chairman, will the gentleman yield? I think this question is not complete, and I want to ask to have the section reported again as amended.

Mr. STEENERSON. With that understanding I will yield.

Mr. CULLOP. That is all I care for. May we have the paragraph reported now as amended?

The CHAIRMAN. The Clerk will report the paragraph as amended.

The Clerk read as follows:

Page 46, beginning with line 18, the paragraph as amended will read: "That the appropriations for inland transportation by railroad routes and for railway post-office car service for the fiscal year ending June 30, 1916, are hereby made available for the purposes of this section."

Mr. STEENERSON. It has been said that this new plan of railway mail pay has been recommended by a commission that investigated the subject very thoroughly, and that is true. I understand, however, the rates recommended by this commission are higher than those contained in this bill. If I understood the remarks of the chairman in general debate on this bill, wherein he discussed the railway mail pay feature, he has a very sanguine idea of the results of this new system of railway mail pay. And he estimated the saving by this new plan at something like \$10,000,000 a year. Of course, that is a "consummation devoutly to be wished," provided, of course, that the rates that we pay to those who do the work are compensatory or reasonable. But there is an implication contained in the statement that I do not feel that I can pass by without answering, and that is this, that if the railway mail pay of to-day is excessive to the extent of \$10,000,000 or \$12,000,000, as stated by the chairman, then it is the fault of the legislation that has been enacted heretofore.

Now, I have served on the Committee on the Post Office and Post Roads for many years, and during the first five or six years of my service on that committee we reported several bills, and they became laws, for the reduction of railway mail pay; and they operated to that effect. As a matter of fact, railway mail pay has been gradually reduced, if we compare it with the total expenditures of the Post Office Department. And I think that way of comparing them is fair, for if a man, for instance, figures out his expenses of living, he says, "Well, I spend so much for clothing, I spend so much for food, I spend so much for amusement," and he figures up that perhaps he has been extravagant in one item, and therefore he says, "I must curtail that item." Now, then, the Post Office Department spends money chiefly for clerical help and for carriage. They collect money for postage, and they collect that money according to the weight of the article put into the mail. If a letter weighs an ounce they collect 2 cents on it, and if it weighs more they collect more, according to the number of ounces. If a package

weighs so much, they collect a certain rate. So we charge postage according to the weight of the article.

Some 40 or 50 years ago the system of railway mail pay that we now have was adopted, and it was based on the same reasoning, that the reasonable way to pay was by the pound, or by the ton, according to the distance that the railways moved an article. Under that system of pay, by weight and distance, I find, upon looking at the statistics, that in 1883 we spent 32.2 per cent of our total postal expenditure for railway transportation; in 1888 we spent 34.5 per cent; in 1893, 35.5 per cent; in 1898, 35.4 per cent; in 1908, 23.6 per cent.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. STEENERSON. Mr. Chairman, I will ask for five minutes more.

The CHAIRMAN. The gentleman from Minnesota [Mr. STEENERSON] asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. STEENERSON. The cause of that gradual reduction was the revision of the railway mail pay that Congress enacted. It was reduced the next year, 1909, from 23.6 to 22.4, and the next year, 1910, to 21 per cent. It was the same in 1911, but in 1912 it was reduced to 20 per cent, and in 1913 it was 19.6 per cent of the total expenditures. So that there has been a gradual reduction in the amount of the expenditures for railway service as compared with the total postal expenditures.

Now, I am not opposing this railway mail scheme, and I shall not oppose it. I shall vote for it because of the representations of the Post Office Department to the effect that it is such a desirable thing to have. I shall give it the benefit of the doubt, but I can not share in their hope of reducing the aggregate of railway pay to any great extent by that system.

One of the things that I see is that in the new system the amount of pay that the railroads will receive will be determined to a very much greater extent than now by the discretion of the officials who administer the law, because it will be dependent upon the authorization of space by the Postmaster General. It will not be, as stated by the gentleman from Wisconsin, a government of law, but a government of men to that extent—to a much greater extent than it is now. The pay will be governed by the amount of space authorized, and they may authorize more than they need, or they may authorize less than they need; and I fear that there will not always be a man in the Post Office Department that will look out for the interests of the people as carefully as the present head of that department does in this regard, and there might be a friend of the railroads at the head of the department who would allow too much. And therefore I do not anticipate that there will be such a great saving as is anticipated. Besides, I am reminded of the fact that this commission, which we have heard eulogized by the gentleman from New Jersey [Mr. TUTTLE], of which he was a very distinguished member, claim to have found as a matter of fact that the present railway mail pay was not excessive. It was not claimed by that commission that we were paying anything too much, and therefore it is hardly to be expected that the prophecy of the gentleman from Tennessee [Mr. MOON], that we shall save ten million or twelve million dollars by this new law, will be realized. The estimate of the department under the new plan is about the same as under the present. I want to go on record now as saying that I fear, when the accounts for the future are rendered under this law, they will not show such a gradual reduction of railway mail pay as is shown by this table, which I will make a part of my remarks. If you can reduce it, you are entitled to the credit, but I desire to resent the imputation involved, that we are paying any great amount more than we ought to pay at the present time. I do not think we are. The proofs submitted on that question do not support any such claim.

Comparative statement of expenditures for Postal Service.

Year.	Total for Postal Service.	For railway post office car service and railway transportation.	Per cent of railroad expenditure to total.
1883.....	\$43,282,944.43	\$13,887,800.00	32.2
1888.....	56,468,315.20	19,524,959.15	34.5
1893.....	81,581,681.33	28,910,195.80	35.5
1898.....	98,033,523.61	34,708,847.46	35.4
1903.....	138,784,487.97	41,886,848.59	30.1
1908.....	208,351,886.15	49,404,763.05	23.6
1909.....	221,004,102.89	49,606,440.16	22.4
1910.....	229,977,224.50	49,302,217.46	21.8
1911.....	237,648,626.68	50,610,261.68	21.0
1912.....	248,525,450.08	50,708,323.02	20.4
1913.....	262,067,541.33	51,466,030.62	19.6

From 1908 to 1913 the postal revenues increased in round numbers \$54,000,000, while railroad pay for transportation of mail only increased \$2,000,000. A good showing for economy, it seems to me.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 12. That on account of the increased weight of mails resulting from Postmaster General's order No. 7720, of December 18, 1913, respecting rates upon and limit of weight of parcel-post packages in the local, first, and second zones, and effective from August 15, 1913, the Postmaster General is authorized to add to the compensation paid for transportation on railroad routes on and after August 15, 1913, for the remainder of the contract terms, not exceeding one-half of 1 per cent thereof per annum.

Mr. MOON. Mr. Chairman, I move to amend, on page 47, line 3, by striking out the words "seventy-seven hundred and twenty, of December eighteenth" and inserting in lieu thereof the words "seventy-three hundred and forty-nine, of July twenty-fifth."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Tennessee.

The Clerk read as follows:

Page 47, line 3, strike out the words "seventy-seven hundred and twenty, of December eighteenth" and insert in lieu thereof "seventy-three hundred and forty-nine, of July twenty-fifth."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 13. That on account of the increased weight of mails resulting from Postmaster General's order No. 7720, of December 18, 1913, respecting rates upon and limit of weight of parcel-post packages effective from January 1, 1914, the Postmaster General is authorized to add to the compensation paid for transportation on railroad routes on and after January 1, 1914, for the remainder of the contract terms, not exceeding 1 per cent thereof per annum.

Mr. MOON. Mr. Chairman, there are some errors in that paragraph that I want to correct. I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 47, line 13, strike out the word "order" and insert in lieu thereof "orders."

In line 14, after the word "twenty," insert the following words: "and seventy-seven hundred and twenty-one."

In lines 16 and 17, strike out the words "effective from January 1, 1914" and insert in lieu thereof "and admitting books to the parcel-post classification."

The amendment was agreed to.

Mr. MOON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FERRIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 19906) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes, and had come to no resolution thereon.

CHANGE OF REFERENCE.

Mr. RUSSELL. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. RUSSELL. I wish to ask a change of reference of three Senate bills that were sent to the wrong committee.

The SPEAKER. What are the numbers of them?

Mr. RUSSELL. The bills are S. 1991, 3509, and 6152. These bills were referred to the Invalid Pensions Committee, and they should go to the Military Affairs Committee.

The SPEAKER. Without objection, that change of reference will be made.

There was no objection.

HOOR OF MEETING TO-MORROW.

Mr. MOON. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection?

Mr. STEENERSON. Reserving the right to object—

Mr. MANN. Let me make a statement. The understanding—which I suppose will be carried out—is that when we adjourn to-morrow we will adjourn until Monday.

Mr. FITZGERALD. Who made the understanding?

Mr. MANN. The gentleman from Alabama [Mr. UNDERWOOD] and myself.

Mr. FITZGERALD. That is all right.

Mr. STEENERSON. What is the necessity for meeting at 11 o'clock to-morrow?

Mr. MANN. If we are going to adjourn over two days on account of New Year's, I think it is quite proper that we should meet a little earlier to-morrow.

Mr. STEENERSON. But this bill is nearly finished.

Mr. MOON. There are seven pages of it left.

Mr. FITZGERALD. And there is another bill to come up.

Mr. STEENERSON. I should like to be here, but it is pretty hard for me to get here at 11 o'clock. I want to take my usual 3-mile walk in the morning and attend to my correspondence.

Mr. FITZGERALD. I suggest to the gentleman that he get up an hour earlier and walk 7 miles.

Mr. STEENERSON. I can not see any great exigency for meeting at 11 o'clock.

Mr. FITZGERALD. Unless we can finish this bill to-morrow and go on with another bill, we will have to work on New Year's Day.

Mr. MANN. Oh, yes; we ought to finish this bill to-morrow and begin on the next one.

The SPEAKER. Is there any proposition with reference to adjourning over?

Mr. MANN. No; that is not before the House. The request is for unanimous consent to meet at 11 o'clock.

The SPEAKER. Is there objection to the request that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning?

There was no objection.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 6939. An act to reimburse Edward B. Kelley for moneys expended while superintendent of the Rosebud Indian Agency, in South Dakota.

ADJOURNMENT.

Mr. MOON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 55 minutes p. m.) the House adjourned until Thursday, December 31, 1914, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Tres Palacios River, Tex. (H. Doc. No. 1464); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

2. Letter from the Secretary of the Interior, submitting report on land withdrawals from settlement, location, sale, or entry under the provisions of act of Congress approved June 25, 1910 (36 Stats., 847) (H. Doc. No. 1465); to the Committee on the Public Lands and ordered to be printed.

3. Letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of the Navy submitting a supplemental estimate of appropriation for the fiscal year ending June 30, 1916 (H. Doc. No. 1466); to the Committee on Appropriations and ordered to be printed.

4. Letter from the Comptroller of the Currency, transmitting annual report of the Comptroller of the Currency for the 12 months ending October 31, 1914 (H. Doc. No. 1467); to the Committee on Banking and Currency and ordered to be printed, with illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. KENT, from the Committee on the Public Lands, to which was referred the bill (H. R. 17388) creating an additional land district in the State of California, embracing lands contained in the county of Imperial, and for other purposes, reported the same with amendment, accompanied by a report (No. 1251), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FLOOD of Virginia, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res.

382) authorizing the President to extend invitations to other nations to send representatives to the International Dry Farming Congress, to be held at Denver, Colo., September 27 to October 8, inclusive, 1915, reported the same without amendment, accompanied by a report (No. 1252), which said joint resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. BROWNING, from the Committee on Naval Affairs, to which was referred the bill (S. 1060) fixing the date of reenlistment of Gustav Hertfelder, first-class fireman, United States Navy, reported the same without amendment, accompanied by a report (No. 1253), which said bill and report were referred to the Private Calendar.

Mr. WITHERSPOON, from the Committee on Naval Affairs, to which was referred the bill (H. R. 11927) for the relief of Matthew McDonald, reported the same with amendment, accompanied by a report (No. 1254); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 20238) granting a pension to William E. Martin; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 20251) granting a pension to George H. Dry; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 20240) granting a pension to Louisa Fleming; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SMITH of Idaho: A bill (H. R. 20370) to provide for the extension and enlargement of the Federal building at Boise, Idaho; to the Committee on Public Buildings and Grounds.

By Mr. LEVER: A bill (H. R. 20415) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1916; to the Committee of the Whole House on the state of the Union.

By Mr. MILLER: A bill (H. R. 20416) to repeal House concurrent resolution 9, section 2, of an act entitled "An act granting to the Sociedad Anonima, denominada 'Pototan Electric Light & Power Co. (Ltd.)', a franchise to install, operate, and maintain an electric light, heat, and power system in the municipality of Pototan, Province of Iloilo, Philippine Islands"; and a part of section 3 of an act entitled "An act granting a franchise to Charles M. Swift to construct, maintain, and operate a hydroelectric plant and electric lighting, heating, and power system and electric-transmission lines in the island of Luzon," passed by the third Philippine Legislature at the second and special sessions of 1914; to the Committee on Insular Affairs.

By Mr. MURRAY: A bill (H. R. 20417) to construct a bridge across the South Canadian River in Oklahoma; to the Committee on Appropriations.

By Mr. ADAMSON: A bill (H. R. 20418) to authorize the purchase or construction of six new vessels, with all necessary equipment, for the Coast and Geodetic Survey, and providing for additional surveys by the Coast and Geodetic Survey; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Minnesota: A bill (H. R. 20419) to provide for the remodeling and repairing of the Federal building known as the old post-office building, at Minneapolis, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. AUSTIN: A bill (H. R. 20420) prohibiting bands or members thereof of the Army, Navy, or Marine Corps from receiving remuneration for furnishing music outside the limits of military posts and barracks; to the Committee on Military Affairs.

By Mr. MANN: Resolution (H. Res. 688) directing the Committee on Ways and Means to report a bill creating a tariff board; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 20421) granting an increase of pension to Francis M. Beck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20422) for the relief of William E. Murray; to the Committee on Claims.

By Mr. BAKER: A bill (H. R. 20423) for the relief of Frank Pullem; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20424) to reimburse William K. Lovett for sloop Edith and cargo, lost while in the service of the United States Government; to the Committee on Claims.

Also, a bill (H. R. 20425) for the relief of Michael Herron; to the Committee on Naval Affairs.

By Mr. BARTON: A bill (H. R. 20426) granting a pension to Willis M. Short; to the Committee on Pensions.

By Mr. BLACKMON: A bill (H. R. 20427) to authorize the sale of certain land in Alabama to Walter Dean; to the Committee on the Public Lands.

Also, a bill (H. R. 20428) to authorize the issue of a patent to certain land in Alabama to William M. Wilson; to the Committee on the Public Lands.

By Mr. BURGESS: A bill (H. R. 20429) granting an increase of pension to John F. Rector; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 20430) granting an increase of pension to James McGhie; to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 20431) granting a pension to Perneta J. Campbell; to the Committee on Invalid Pensions.

By Mr. DONOVAN: A bill (H. R. 20432) granting an increase of pension to Martha L. Quick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20433) granting an increase of pension to Ella Keppy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20434) granting an increase of pension to Jane Ganung; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 20435) granting a pension to Frederick Krebs; to the Committee on Pensions.

Also, a bill (H. R. 20436) granting an increase of pension to Edward M. Duffy; to the Committee on Pensions.

By Mr. EVANS: A bill (H. R. 20437) for the relief of Omer D. Lewis; to the Committee on Claims.

By Mr. FORDNEY: A bill (H. R. 20438) granting an increase of pension to Jay C. Randall; to the Committee on Pensions.

By Mr. GARDNER: A bill (H. R. 20439) for the relief of the heirs of the late Frank Henry Rogers; to the Committee on Claims.

By Mr. HOLLAND: A bill (H. R. 20440) granting an increase of pension to Lucy W. Binford; to the Committee on Pensions.

Also, a bill (H. R. 20441) for the relief of Hudson Bros., of Norfolk, Va.; to the Committee on Claims.

By Mr. JOHNSON of Kentucky: A bill (H. R. 20442) granting a pension to Dora Hoffman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20443) granting a pension to Lewis J. Crider; to the Committee on Invalid Pensions.

By Mr. KEATING: A bill (H. R. 20444) granting an increase of pension to Josephus Clark; to the Committee on Invalid Pensions.

By Mr. KREIDER: A bill (H. R. 20445) granting an increase of pension to William Hewitt; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 20446) granting an increase of pension to Nathan Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20447) granting an increase of pension to William Cunagin; to the Committee on Pensions.

Also, a bill (H. R. 20448) granting an increase of pension to Isaac Goble; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20449) for the relief of Samantha Slusher; to the Committee on War Claims.

By Mr. LESHER: A bill (H. R. 20450) granting an increase of pension to Samuel J. Pealer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20451) granting an increase of pension to Sarah A. Haring; to the Committee on Invalid Pensions.

By Mr. LEWIS of Maryland: A bill (H. R. 20452) granting an increase of pension to Rachel E. Laughlin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20453) for the relief of the estate of Robert Brown, deceased; to the Committee on War Claims.

By Mr. LINTHICUM: A bill (H. R. 20454) granting a pension to Jacob Mercer; to the Committee on Pensions.

Also, a bill (H. R. 20455) granting a pension to Albert A. Kelly; to the Committee on Pensions.

Also, a bill (H. R. 20456) granting a pension to Julia Gallagher; to the Committee on Pensions.

By Mr. MCGILLICUDDY: A bill (H. R. 20457) granting an increase of pension to Melinda Keenan; to the Committee on Invalid Pensions.

By Mr. MORGAN of Oklahoma: A bill (H. R. 20458) granting an increase of pension to Boman R. Butcher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20459) granting an increase of pension to George G. Sherlock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20460) to correct the military record of James McMannin and grant him an honorable discharge; to the Committee on Military Affairs.

By Mr. ROUSE: A bill (H. R. 20461) granting an increase of pension to Mary J. Porter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20462) granting an increase of pension to Laura A. McCormick; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 20463) granting an increase of pension to C. L. Belknap; to the Committee on Pensions.

By Mr. SMITH of Minnesota: A bill (H. R. 20464) granting a pension to Peter Throssel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20465) for the relief of A. A. Kelly; to the Committee on Claims.

By Mr. STEPHENS of Nebraska: A bill (H. R. 20466) granting a pension to Harry N. Gates; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 20467) granting an increase of pension to William Orr; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 20468) granting a pension to Julia Jones; to the Committee on Invalid Pensions.

By Mr. THOMSON of Illinois: A bill (H. R. 20469) granting a pension to Anna R. Cartwright; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of Tuscarawas County (Ohio) Woman Suffrage Association, favoring woman suffrage; to the Committee on the Judiciary.

Also, evidence to accompany House bill 20359, for relief of Eliza E. Wells; to the Committee on Invalid Pensions.

By Mr. DILLON: Petition of citizens of South Dakota, favoring recognition for Dr. F. A. Cook for his polar efforts; to the Committee on Naval Affairs.

By Mr. DRUKKER: Petition of citizens of New Jersey, favoring House joint resolution 377 relative to export of munitions of war; to the Committee on Foreign Affairs.

By Mr. GILL: Memorial of North St. Louis Business Men's Association, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. GILMORE: Petition of citizens of Bristol, Mass., and Swedish Cromer Lodge, No. 10, International Order of Good Templars, of North Easton, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. GOULDEN: Petition of citizens of New York City, against export of munitions of war from the United States to warring nations; to the Committee on Foreign Affairs.

Also, petition of William D. Peck, New York City, favoring restoration of the protective tariff; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island: Petition of Antoinette P. Brayton, of Providence, R. I., against woman suffrage; to the Committee on the Judiciary.

By Mr. KONOP: Petition of citizens of the ninth congressional district of Wisconsin, favoring House joint resolution 377, prohibiting export of munitions of war from the United States; to the Committee on Foreign Affairs.

By Mr. MANN: Petition of Chicago Post Office Clerks' Association, protesting against removal of post-office employees from service on account of old age; to the Committee on Reform in the Civil Service.

By Mr. ROGERS: Petition of the Matthew Temperance Institute, Lowell, Mass., against the recognition on the part of the United States of any government in Mexico which will refuse to guarantee civil and religious freedom to the inhabitants of Mexico; to the Committee on Foreign Affairs.

By Mr. SLOAN: Petition of citizens of Omaha, Nebr., against woman suffrage; to the Committee on the Judiciary.

SENATE.

THURSDAY, December 31, 1914.

(Legislative day of Tuesday, December 29, 1914.)

The Senate met at 11 o'clock a. m., on the expiration of the recess, and was called to order by the Presiding Officer, Mr. SWANSON.

Mr. SMOOT. Mr. President, I ask unanimous consent to introduce a bill and have it printed in the RECORD. It deals with the development of water power, a subject that is now before Congress.

The PRESIDING OFFICER (Mr. SWANSON). Is there objection?

Mr. SMITH of Georgia. As the Senator from Utah is the only person who is now on the floor to object—

Mr. SMOOT. If the Senator from Georgia objects, I certainly shall not ask leave to introduce the bill.

Mr. SMITH of Georgia. I am not going to object; but I say as the Senator from Utah makes the request, there is no one left to object, because we rely on him especially to prevent an irregular mode of procedure.

Mr. LODGE. Mr. President, I suggest the absence of a quorum.

Mr. SMOOT. I withdraw my request.

Mr. SMITH of Georgia. No; I do not object. I think the Senator does a great deal of good by interposing an objection in such cases.

Mr. GALLINGER and Mr. GRONNA. Regular order!

The PRESIDING OFFICER. The Senator from Massachusetts suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	Page	Sutherland
Borah	James	Perkins	Swanson
Bryan	Jones	Pittman	Thomas
Burton	Kern	Reed	Thornton
Chamberlain	Lane	Robinson	Townsend
Clapp	Lodge	Sheppard	Vardaman
Clark, Wyo.	McLean	Simmons	Walsh
Culberson	Martine, N. J.	Smith, Ariz.	White
Dillingham	Nelson	Smith, Ga.	Williams
Fletcher	O'Gorman	Smith, S. C.	
Gallinger	Oliver	Smoot	
Gronna	Overman	Sterling	

Mr. MARTINE of New Jersey. I was requested to state regarding the Senator from West Virginia [Mr. CHILTON] that he is absent on public business and is paired with the Senator from New Mexico [Mr. FALL] on all questions.

Mr. THORNTON. I was requested to announce the necessary absence of the Senator from Virginia [Mr. MARTIN] on account of illness in his family, and also to announce that he is paired with the Senator from Illinois [Mr. SHERMAN].

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY]. This announcement may stand for the day.

Mr. TOWNSEND. The senior Senator from Michigan [Mr. SMITH], who is absent from the city, is paired with the junior Senator from Missouri [Mr. REED] on all votes. This announcement may stand for the day.

Mr. CLARK of Wyoming. I wish to announce the unavoidable absence from the city of my colleague [Mr. WARREN]. He has a general pair with the Senator from Florida [Mr. FLETCHER]. I will allow this announcement to stand for the day.

Mr. LODGE. I desire to announce that my colleague [Mr. WEEKS], who is absent from the Senate, has a general pair with the Senator from Kentucky [Mr. JAMES]. I will allow this announcement to stand for the day.

The PRESIDING OFFICER. Forty-five Senators have answered to their names. A quorum is not present. The Secretary will call the roll of absentees.

The Secretary called the names of absent Senators and Mr. HOLLIS, Mr. McCUMBER, Mr. POMERENE, and Mr. SAULSBURY answered to their names when called.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present and the Senate resumes the consideration of the unfinished business, House bill 6060.

REGULATION OF IMMIGRATION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

The PRESIDING OFFICER. The pending question is on the amendment offered by the Senator from Colorado [Mr. THOMAS].